

**Study to assess the feasibility of transposing
the European Asylum Curriculum in the
Republic of Belarus, the Republic of Moldova and Ukraine**

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Final Report *

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“Although the European countries are the primary focus for European Asylum Curriculum (EAC), the Curriculum will also be a useful tool for candidate countries. A final EAC will provide candidate countries with an applicable instrument to update and adjust their asylum procedure to attain the required European standard. The Curriculum will furthermore offer a useful tool for the European capacity building support to “third countries” in the field of migration and asylum. The cost efficiency of such a comprehensive use of EU funding and resources will therefore be significant.” (EAC available at <http://www.asylum-curriculum.eu>)

*This report has been translated into Russian, but the English text prevails.
Both are available on www.soderkoping.org.ua and www.unhcr.org.ua

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List of Abbreviations and Acronyms

BG – Border Guards
BMA - Bureau for Migration and Asylum, Ministry of Interior in the Republic of Moldova
BSU – Belarus State University
CIS – Commonwealth of Independent States
COI – Country of origin information
DCM – Department of Citizenship and Migration, Ministry of Internal Affairs in Belarus
DRC – Danish Refugee Council
EU – European Union
EAC – European Asylum Curriculum
ECHR – European Court of Human Rights
ECRE – European Council on Refugees and Exiles
ERIT – GDISC Project “Capacity Building and Technical Support to Ukrainian Authorities to Effectively Respond to Irregular Transit-Migration”
EU – European Union
EUBAM - EU Border Assistance Mission to the Republic of Moldova and Ukraine
GDISC – General Directors of Immigration Services Conference
HIAS – Hebrew Immigrant Aid Society (Inc.)
ICMPD – International Centre for Migration Policy Development
IO – International Organization
IOM – International Organization for Migration
MoI/MIA – Ministry of Interior/Internal Affairs
NGO – Non-Governmental Organization
RSD – Refugee Status Determination
SIDA - Swedish International Development Cooperation Agency
SBGS - State Border Guard Service of Ukraine
SCNR – State Committee of Ukraine for Nationalities and Religions
SMB – Swedish Migration Board
Sub-region - Republic of Belarus, Republic of Moldova and Ukraine
ULIM – Universitatii Libere Internationale din Moldova
UN – United Nations
UNHCR – United Nations High Commissioner for Refugees
1951 Convention – 1951 Convention Relating to the Status of Refugees and its 1967 Protocol

Study to assess the feasibility of transposing the European Asylum Curriculum in the Republic of Belarus, the Republic of Moldova and Ukraine

1. Executive summary

The Study to assess the feasibility of transposing the European Asylum Curriculum (EAC) in countries involved in the Söderköping Process – the Republic of Belarus, the Republic of Moldova and Ukraine aimed¹:

- To assess the system of how training curricula are formally integrated in the educational systems of the Republic of Belarus, the Republic of Moldova and Ukraine and the legal procedure that is followed in each country;
- To assess the feasibility of transposing one or several of the thirteen modules of the EAC in the Republic of Belarus, the Republic of Moldova and Ukraine.

The Expert and Assistant conducted 27 interviews in the Republic of Belarus, the Republic of Moldova and Ukraine² with total of 53 participants, including representatives of governmental asylum authorities³: Department of Citizenship and Migration (DCM), Ministry of Internal Affairs in the Republic of Belarus; Bureau for Migration and Asylum (BMA), Ministry of Interior in the Republic of Moldova; State Committee for Nationalities and Religions (SCNR) in Ukraine; as well as Ministries of Interior, Border Guards Central Authorities, Border Guard Academies and Academies of Ministries of Interior; academicians working at Universities; representatives of international agencies United Nations High Commissioner for Refugees (UNHCR), International Organization for Migration (IOM), International Centre for Migration Policy Development (ICMPD), Danish Refugee Council (DRC), European Council on Refugees and Exiles (ECRE) and non-governmental organizations “Evolutio” in Minsk, “Law Center of Advocates” in Chisinau and “HIAS” in Kyiv⁴.

1.1. Brief overview of findings of the Study

Asylum authorities in the Republic of Belarus, the Republic of Moldova and Ukraine, international agencies and non-governmental organizations recognize the need for improvement of professional knowledge and skills amongst governmental asylum officers. Further training is considered most necessary on refugee definition, application of inclusion and exclusion, and developing refugee status determination skills⁵. Currently in the sub-region there are no institutionalized training programs targeting asylum specialists, which could sufficiently address their training needs⁶. Other target groups, including border guards, law-enforcement staff, judges, prosecutors, border guards and police cadets, and international law students also need different scopes of training and education on asylum and refugee issues⁷.

¹ Please refer to Annex 4 for detailed Terms of Reference of the Study.

² The Study was conducted by Expert and Assistant from 17 May to 7 June 2010. Detailed lists of questions were shared in advance with all interviewed agencies. During interviews the Expert shared copies of the EAC brochure (available at <http://www.asylum-curriculum.eu>) and used additional questionnaire tool for collecting information (Annex 5).

³ Asylum authorities in the sub-region include: Department of Citizenship and Migration (DCM), Ministry of Internal Affairs in the Republic of Belarus; Bureau for Migration and Asylum (BMA), Ministry of Interior in the Republic of Moldova; State Committee for Nationalities and Religions (SCNR) in Ukraine.

⁴ UNHCR, IOM, ICMPD, DRC, ECRE, and UNHCR NGO partners: International Non-governmental Association for Scientific Research, Information and Educational Programmes “Evolutio” in the Republic of Belarus, “Law Center of Advocates” in the Republic of Moldova and “HIAS” in Ukraine.

⁵ In particular: interviewing skills, working with country of origin information, conducting assessment of asylum cases, preparing RSD recommendations and drafting RSD decisions. Section 2.2 refers.

⁶ The re-training program for asylum authorities existing in the Republic of Belarus does not fully address training needs: ref. 4.1.

⁷ Training needs vary depending on their functional responsibilities (and future profession).

Various organizations, including United Nations High Commissioner for Refugees (UNHCR), International Centre for Migration Policy Development (ICMPD), Danish Refugee Council (DRC), European Council on Refugees and Exiles (ECRE), International Organization for Migration (IOM) and others, tried to address abovementioned training needs by organizing numerous training activities⁸, which covered relevant thematic issues.

Courses on refugee law and asylum are included into training programs at Academies of Ministries of Interior and Border Guard Academies, as well as at some Universities in the Republic of Belarus and the Republic of Moldova⁹. These courses cover international refugee law and human rights issues, refugee definition and asylum procedures, but do not suitably educate in practical aspects of the refugee status determination (RSD) and do not train on relevant skills.

Governmental authorities at management and working level¹⁰ acknowledge the need to establish locally institutionalized systematic training program on asylum and re-confirmed their interest to work on transposing European Asylum Curriculum. Prior to EAC introduction authorities require better familiarization with its contents and with existing practices of utilizing EAC in EU Member States. Authorities also underlined the need to tailor the contents of EAC to local requirements and include national asylum legislation and procedures.

Introducing EAC in the sub-region is not feasible in English language. For both asylum authorities in the Republic of Belarus and Ukraine a training program on asylum can be introduced in Russian¹¹, for authorities in the Republic of Moldova – in Romanian language. Therefore, as a minimum, it is necessary to translate selected EAC Modules into Russian¹² and Romanian languages.

There is a need to identify English-speaking trainers, request including them into existing EAC training program in the EU, and certify them as national EAC trainers through existing certification procedure.

Translation costs and costs related to travel of national trainers for EAC certification can not be covered from state budgets.

Asylum authorities showed openness for e-learning methodology; technical infrastructure exists in the Republic of Moldova¹³ and Ukraine; in the Republic of Belarus asylum authorities do not have Internet access at work-place¹⁴.

Governmental training center that could be potentially used as a basis for EAC introduction exists only in the Republic of Belarus: International Training Center of the Academy of Ministry of Internal Affairs has training capacities, experience in running re-training courses and applying distance learning methods. In Ukraine and the Republic of Moldova¹⁵ there are no similar state-run training centers with relevant experience and capacities, where EAC could be transposed in reasonable time-frame¹⁶. Asylum authority in Ukraine, the State Committee for Nationalities and Religions, expressed readiness to introduce training program within its structure and based only on its current capacities and human resources, since it is not feasible to obtain state funding for additional resources.

⁸ Section 3 refers. List of trainings since 2006 is available in Annex 1.

⁹ Section 4 refers. In the Republic of Moldova, sustainability of these courses is unclear, as currently teachers are paid by UNHCR.

¹⁰ With the exception of the Director of the Bureau for Migration and Asylum in the Republic of Moldova. Section 6, 6.3 refers.

¹¹ Russian and Belarusian are state languages in the Republic of Belarus. Ukrainian is state language in Ukraine; Ukrainian asylum authorities accept introducing EAC in Russian.

¹² Study does not examine relevance of EAC for other Commonwealth of Independent States countries and their interest, but in case Russian version of EAC is available, some Russian-speaking CIS countries could also benefit from it in future.

¹³ Computer equipment and Internet for asylum authorities funded through UNHCR projects.

¹⁴ Please refer to Section 6, 6.1.

¹⁵ In the Republic of Moldova, the practical modalities were not discussed in details with asylum authorities due to rather low interest of the Director of Bureau for Migration and Asylum towards introducing EAC (section 6 refers).

¹⁶ Please refer to Section 6, 6.3.

The main precondition for effective introduction of a curriculum in the sub-region is presence of a strong “political will” at higher management levels of interested authorities; this was also confirmed by the existing experiences of introducing other curricula for law-enforcement authorities¹⁷.

1.2. Summary conclusions

The trainings organized by international agencies covered wide range of thematic issues relevant to contents of most EAC Modules¹⁸. These trainings had positive impact, but (1) lacked sustainability since were dependant on external funding by donors and capacities of the international agencies; (2) could not systematically reach all target audiences and (3) could not ensure sufficiently intense and profound coverage of topics due to the shortage of time. Therefore, these trainings can not address the need in the institutionalized training programs for asylum authorities in the sub-region.

The existing refugee law courses cover issues relevant to EAC Modules 1, 3 and 3:1¹⁹, but they touch very superficially substantial topics related to refugee status determination and do not develop RSD skills, therefore can not be used as a main basis for developing asylum curricula²⁰.

In order to start EAC introduction, governmental authorities will need to find external funding to cover costs of translation of selected EAC Modules into Russian and Romanian²¹ languages and costs related to travel of national EAC trainers for certification. Thus, authorities may need to request support from donors, in the framework of existing cooperation and partnerships.

If necessary funds could be allocated, EAC introduction based on e-learning methodology is believed to be feasible and have strong prospects for local institutionalization *in the Republic of Belarus*, on the basis of International Training Center of the Academy of the Ministry of Internal Affairs. However, a solution should be found to ensure Internet access for asylum authorities in this country.

In Ukraine, transposing EAC on the basis of the State Committee for Nationalities and Religions would give good prospects for institutionalization, but would demand strong efforts to resolve capacity issue. In practice, introducing EAC and running national asylum training program based on existing capacities and human resources may turn out less feasible than initially expected, and may undermine efficiency of the established training program.

In the Republic of Moldova, it will be necessary to identify most feasible and sustainable solution amongst very limited available options, if the decision on EAC introduction will be taken by the Ministry of Interior. Any form of introduction would require additional financial investments, which can not be disbursed from the state budget, and would not have strong prospects for institutionalization in near future.

Based on preliminary assessment, the following EAC Modules are of immediate interest for asylum authorities and could be prioritized for transposing in the sub-region: **Module 1 “International Refugee Law and Human Rights”, Module 3 “Inclusion”, Module 5 “Country of Origin Information”, Module 6 “Interviewing techniques”, Module 7 “Evidence Assessment”, Module 8 “Drafting and Decision Making”**²². Advanced **Modules 3:1 “Exclusion”, 6:1 “Interviewing children” and 6:2 “Interviewing traumatized persons”** are also relevant and could be introduced at later stages.

Differentiated approach must be applied for other potential target audiences, such as border guards, law-enforcement, prosecutors, judiciary, i.e. their specific functional responsibilities and varying training needs must be considered when selecting the contents, scope and modality of EAC introduction.

¹⁷ Please refer to Section 9.

¹⁸ Except for Module 2:1 “Dublin Regulation”, which is not relevant to the sub-region. Also, trainings very little focused on the issues relevant to EAC Modules 2 “European Asylum law Introduction to EU Asylum Law and Policy” and 4 “Asylum Procedure Directive”.

¹⁹ Module 1 “International Refugee Law and Human Rights”, Module 3 “Inclusion”, Module 3:1 “Exclusion”.

²⁰ Please refer to Section 4, 4.4.

²¹ The time-frame of the EAC introduction in the Republic of Moldova may also depend on the availability of Romanian translation. According to EAC Management Team, Romanian authorities were considering EAC translation.

²² Please refer to Section 7.

It was determined that at the moment there is no rationale for introducing EAC Modules in form of e-learning program at Universities, Border Guard and Police Academies, in majority of them e-learning teaching currently is not feasible²³. Rather, national EAC-certified trainers should work with academicians and professors on amending existing asylum and refugee law curricula²⁴.

To facilitate successful establishment of the institutionalized training programs on asylum through transposing EAC in the sub-region, interested governmental authorities need to undertake further follow-up efforts. Clear instructions issued at higher management level of the interested governmental authorities will be crucial for commencing this initiative.

Introduction of asylum curriculum is not likely to replace, rather would have a complementary role to other forms of trainings implemented in the sub-region, such as training seminars, workshops, round-tables, lectures to field staff etc.

Governmental authorities see introduction of training program on asylum as an essential part of their continuous efforts to adhere to EU Standards in their asylum procedures and practices²⁵. Establishment of asylum curricula will result in strengthening asylum systems and improving quality of RSD in the sub-region, which potentially may decrease the load on asylum systems of EU Member States. Transposing EAC will also play a strategic role in building asylum training capacity through creating system of national trainers on asylum and refugee law.

1.3. General recommendations

Generally it is recommended that governmental asylum authorities apply strategic approach to training activities, conduct thorough training needs assessment and develop comprehensive training strategy, which would include, as an integral part, establishment of training program on asylum through transposing EAC; it could also elaborate some substantial elements related to EAC introduction²⁶. Such approach would increase efficiency, cost-effectiveness and improve impact of overall training activities.

To initiate establishment of training program on asylum and transposing EAC, it is recommended that **interested governmental authorities** undertake number of consecutive steps, including:

- Ensure that official decisions and relevant instructions are issued at higher administrative level;
- Communicate these decisions to the Swedish Migration Board (SMB), EAC Management Team, Söderköping Process Secretariat and UNHCR;
- Assign national focal points and establish inter-agency working groups responsible for implementation of this initiative. Interested authorities may consider creation of inter-governmental working group, which would play coordinating role in the sub-region²⁷;
- In consultations with international agencies and EU governmental structures agree on future role of international organizations, in particular, UNHCR, in this process.

It is then recommended that the inter-governmental working group would develop a strategy and detailed plan of action for EAC introduction, including following components:

- familiarizing with the practices of introducing EAC in EU Member States;
- identifying resources required to start the implementation; designing project proposal and requesting donors` support in funding the necessary initial costs;

²³ Only in Belarus State University it was stated as feasible, but transposing EAC would demand additional funds.

²⁴ In Ukraine – using EAC materials and structure for establishing asylum curriculum at Border Guard Academy.

²⁵ In the Republic of Moldova and Ukraine it is a part of efforts towards European integration, in line with the Agreement on the Republic of Moldova's associated EU membership, which is under negotiations, and the EU-Ukraine Association Plan and the Agenda to prepare and facilitate the implementation of the Association Agreement.

²⁶ For example, determine which EAC Modules should be prioritized, profile staff and apply differentiated approach to newly employed and more experienced specialists, provide methods of measuring training impact etc.

²⁷ Should authorities consider there is a need for an external agency to play coordinating role, such decision can be taken by authorities jointly with Swedish Migration Board and UNHCR.

- identifying English-speaking trainers and requesting SMB to include them into existing EAC training program, where they can be certified as national EAC trainers²⁸;
- selecting and prioritizing EAC Modules for introduction for asylum authorities and other target groups (if was not done as part of abovementioned training strategy);
- deciding how national specific issues can be included into training program.

Government authorities may consider phase approach of EAC introduction in the sub-region and discuss possibility of a **pilot introduction** in the Republic of Belarus, based on the available training facilities, i.e. International Training Center of the Academy of Ministry of Internal Affairs.

The following specific actions may be recommended for authorities in each of three countries.

In the Republic of Belarus, authorities need to find a solution to ensure Internet access at workplace for asylum staff.

In Ukraine, authorities need to further examine practicalities of transposing EAC within current capacities and human resources at the SCNR. It is recommended to analyze availability and number of staff required to act as EAC trainers versus number of specialists in need of training each year.

Authorities *in the Republic of Moldova* may consider inquiring Romanian authorities about plans to translate and introduce EAC in Romanian language.

Establishing institutionalized training program on asylum through EAC introduction should be an important part of further collaboration with EU Member States in strengthening capacity of asylum authorities in the sub-region within the EU Mobility Partnerships. It is recommended that donors support this initiative through providing required initial funding as a part of capacity-building efforts.

2. Introduction

2.1. Background on EAC feasibility assessment study

The enlargement of the European Union (EU) in 2004 and 2007 had a significant impact on the migration and refugee protection realities in Eastern Europe. The Republic of Belarus, Republic of Moldova and Ukraine have acceded to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, and have established comprehensive migration management systems. The Republic of Belarus, the Republic of Moldova and Ukraine have focused on establishing access to qualitative, fair and effective Refugee Status Determination (RSD) procedures, reception facilities for asylum seekers, detention facilities for irregular migrants meeting the standards set by the European Convention on Human Rights, as well as durable solutions for recognized refugees.

In 2007, the concept of the European Asylum Curriculum (EAC) was presented to the Ministries of Interior, asylum authorities and border guard services of all countries involved in the Söderköping Process as a common core curriculum on asylum issues. Throughout the course of 2007-2009 the Secretariat together with the National Coordinators of the Söderköping Process provided regular briefings on the EAC, and ensured that the Ministries of Interior of the Republic of Belarus, the Republic of Moldova and Ukraine are regularly informed of the latest developments related to the EAC.

In 2008, the countries involved in the Söderköping Process agreed to assess the feasibility of applying various modules of the EAC in the Republic of Belarus, the Republic of Moldova and Ukraine and the Swedish Migration Board, together with other interlocutors in EU Member States organised a series of briefings on the EAC. A senior staff member from the UNHCR Regional Representation for the Republic of Belarus, the Republic of Moldova and Ukraine was provided a login and password to access the EAC to then enable UNHCR to present various modules to the Ministries of Interior and asylum authorities in the Republic of Belarus, the Republic of Moldova and Ukraine.

In 2008 it was agreed that a workshop on the EAC would be held in Kyiv, Ukraine to discuss the possible transposition of various modules of the EAC into the curricula of various Ministries and universities in the Republic of Belarus, the Republic of Moldova and Ukraine. A workshop was held in

²⁸ It is also necessary to obtain their commitment to work as national EAC trainers in future.

2009 during the course of which it was agreed to carry out a feasibility assessment to determine whether the EAC is in fact curricula that can be used in the Republic of Belarus, the Republic of Moldova and Ukraine.

2.2. Factors determining need for training programs on asylum in the sub-region

Introducing asylum curricula and establishing institutionalized training program on asylum are seen as necessary steps for further strengthening of asylum systems and improving quality of refugee status determination. The vital need for developing and introducing such program was re-confirmed again by the interviewed representatives of governmental authorities, UNHCR and other agencies within the sub-region.

In the sub-region there were no systematic comprehensive training needs²⁹ assessments, which would be conducted by government for various authorities, including asylum authorities, in relation to their level of professional expertise in asylum, refugee law and refugee protection issues. There is however a common acknowledgement of the strong need for further development of knowledge on international refugee law and human rights, refugee definition and related issues (such as principle of *non-refoulement*, exclusion etc.), and need to improve practical skills on assessment of asylum applications, as amongst specialists working for asylum authorities, and also for other authorities.

The existing level of expertise and training needs significantly vary amongst specialists working for different authorities, but also differ amongst specialists within asylum authorities in each country. Representatives of asylum authorities, in particular, supervisors responsible for taking final decisions on refugee status, in general evaluate level of expertise of asylum case officers as sufficiently high, but nevertheless stress the need for instant improvement of refugee status determination skills. In particular, to improve use of country of origin information³⁰, improve quality of case assessments and RSD recommendations drafted by case officers. Interviewing skills were also mentioned as those requiring development, in particular knowledge how to interview children and traumatized persons.

The need to prioritize improvement of refugee status determination skills amongst asylum case officers, especially need to focus on legal assessment of asylum application, interviewing techniques, credibility assessment, subjective and objective factors, inconsistencies and contradictions in interview, using country of origin information, applying exclusion clause, and preparing RSD recommendation, was also underlined by UNHCR offices as well as by non-governmental organizations³¹. Number of turned negative RSD decisions on appeals in courts was mentioned by NGOs as one of the indirect indicators of current quality of case assessment in the Republic of Moldova and Ukraine.

Insufficient capacities of asylum authorities and limited state funding also seriously affect expertise and quality of asylum procedures in the Republic of Moldova and Ukraine. The interviewed agencies pointed out that mediocre to poor working conditions and low salaries are main reasons of low motivation for professional self-development amongst asylum case officers; the same reasons cause higher rates of staff turn-over. Staff changes and arrival of new inexperienced specialists do not allow maintaining sustainable level of proficiency within asylum authorities in these countries. Insufficient human resources result in heavy work overload of remaining asylum case officers, which also affects general quality of work. Quality of interviews and case preparation are also affected by lack of interpreters and poor interviewing conditions.

There are no systematic vocational training programs on asylum run by authorities for asylum specialists, no standard introductory training program on asylum and refugee status determination issues

²⁹ In this Report here and after the term “training needs” stands for the needs for training particularly on asylum and refugees issues.

³⁰ Asylum authorities in all three countries also stressed on the limited availability of country of origin information sources in the languages understood by asylum case officers (Russian, Ukrainian and Romanian) and that it has negative effect on the quality of using COI for case assessments.

³¹ UNHCR in Ukraine does not have access to governmental procedures, no access to asylum case files, and based its comments on the information available through various sources, including NGOs that assist asylum seekers to appeal negative RSD decisions in the courts.

for newly recruited asylum staff³². At the beginning of employment with asylum authorities, new staff is expected to thoroughly study national refugee legislation and existing instructions. Their further training and developing specific knowledge and skills required to conduct quality assessment of asylum applications are done in form of on-the-job training and coaching of new staff by supervisors or more experienced staff. Such on-the-job training may be done based on the examples of asylum cases considered in the past, or based on the examples of new “real” asylum applications³³.

In all countries in the sub-region, considerable number of publications³⁴ on national refugee legislation, compilation of materials on international refugee law and human rights, materials related to 1951 Convention, refugee definition, inclusion and exclusion issues, were shared with asylum authorities by UNHCR and its partners³⁵ and must be available for self-study by asylum specialists. It should be noted that all these materials had to be published in languages well understood by local asylum officers (i.e. Russian, also widely understood in the sub-region, Romanian and Ukrainian). There are very few asylum specialists with good command of English language therefore existing training materials in English language can not be used in original language. There are also numerous materials and presentations shared during the training seminars organized by international organizations, UNHCR, IOM, ICMPD, DRC, ECRE, HIAS Kyiv. However, it could not be tested to which extent these materials are (1) comprehensive and appropriate for training new specialists on one hand, and (2) used by asylum specialists for reference and possible refreshments on another hand. As has been already mentioned, motivation for professional self-development through self-study is not strong.

During the interviews with the Expert, governmental authorities in three countries put emphasis on the necessity and their continuous efforts in bringing standards of asylum and border procedures in line with the standards applied by EU Member States. Thematic areas, where authorities observe elevated need for further development of knowledge and skills, concur with the thematic areas covered by some of the EAC Modules. Authorities therefore re-confirmed their strong interest to work towards transposing European Asylum Curriculum and creating governmental systematic vocational training course on its basis, which will allow achieving higher standards of work.

In the Republic of Belarus and Ukraine representatives of asylum authorities understand big advantages of the EAC, such as good structure, selection of materials, practical case studies, and interactive methods of teaching, and modern e-learning methodology. They nevertheless stress the need to tailor the program to national needs, e.g. include into it some documents and materials necessary to understand well national specific legislation and implement national procedures. The training program must be introduced in the languages spoken by specialists (Russian in the Republic of Belarus and Ukraine), and therefore is not applicable in its English version³⁶.

In the Republic of Moldova, there were different views on the need to establish training program on asylum between the interviewed higher manager, the Director of Bureau for Migration and Asylum, and staff of RSD Unit. The Head of BMA stressed that due to lack of time the overloaded RSD staff will not be able to allocate time for lasting educational program and self-studies; he emphasized need for practical materials for quick reference during their daily work, practical experiences and case studies; e-learning methodology is not going to work in his view³⁷. The RSD unit staff requested practical demonstration of EAC, which was provided by the Expert. Following the demonstration, RSD Unit staff

³² In the Republic of Moldova, Head of RSD Unit tried to address the gap in having introductory materials and herself created a brochure with Procedural Guidance on Refugee Status Determination in Romanian language.

³³ Such training practice has a number of disadvantages and may result in transferring wrong practices and experiences, and cause lower standard of asylum case preparation.

³⁴ Number of legislative compilations and materials were published through projects of UNHCR and its partners.

³⁵ Most recent example collected during the Study is very practical Handbook on Refugee Status Determination prepared by Danish Refugee Council in Ukraine and translated into Russian and Ukrainian languages.

³⁶ Language issue is further elaborated in 6.3.

³⁷ On previous occasions, the Head of Refugee Directorate of the Bureau for Migration and Asylum manifested interest in introducing EAC, according to the information shared with the Experts; however, she was not available for meeting with the Expert.

was interested in the program and concluded that it was necessary to reason the need of EAC introduction with their supervisor³⁸.

In addition to asylum specialists, there are other categories that require different scope of knowledge and skills in the area of asylum and refugee protection in view of their functions. In particular, in order to ensure effective and uninterrupted access to asylum procedures police officers and border guards require sufficient level of knowledge on international refugee law, refugee definition, inclusion, principle of *non-refoulement*, as well as elements of interviewing techniques, especially interviewed children and traumatized persons; notions on countries of origin information is also necessary for performing their functions. Judges and prosecutors, in addition to knowledge on international law and human rights, may need to develop advanced knowledge on inclusion and exclusion issues, and also be familiar with practical issues related to refugee status determination, i.e. can analyze country of origin information, case assessment and reasoning for decisions on asylum applications.

In the course of the Study, when assessing feasibility of the transposing European Asylum Curriculum in the sub-region for different target audiences, based on the results of interviews, the following target audiences were profiled that currently or potentially may be in need of training on asylum and refugee protection issues. Thematic issues and scope of these issues for their training vary according to their different functional responsibilities³⁹:

1. **Asylum authorities:** asylum case officers and decision makers. This group is mostly interested in introducing systematic national training program on asylum, focusing on individual learning.
 - a. There will be also individual specialists amongst *policy-makers, judges, prosecutors, border guards and police officers* (all limited numbers), who will potentially benefit from the established national training program on asylum, based on individual learning. They can not form as a group, but conditionally considered as **“other beneficiaries of the national training program on asylum”**.
2. **Law-enforcement authorities: border guards and police officers and field staff;** prosecutors. This group would require training on some of the EAC thematic areas relevant to their functions, using the limited scope of materials. In order to cover bigger number of staff, group methods of learning (seminars, lectures etc.) are preferred rather than individual.
3. **Cadets⁴⁰** studying at **Border Guard Academies and Academies of Ministries of Interior.** For this group, a limited scope of EAC materials may be used for including into refugee law and asylum curricula, based on methods applied at respective educational entities, such as group learning with elements of self-study.
4. **Students of International law and Legal Departments.** Amongst them, there will be quite limited number of specialists working on asylum and migration issues. However, for this audience a limited scope of EAC materials may be used for including into refugee law and asylum curricula.
5. **Judges.** Large audience, rather individual targeting for including into training programs on asylum should be applied.

³⁸It may be concluded that the Director of BMA could not see advantages of transposing EAC since he was not sufficiently familiar with its structure and contents, which is proven by the reference to the need for practical materials and case-studies, which are available within EAC.

³⁹ The level of expertise and knowledge of asylum issues also varies in each target group.

⁴⁰ Cadets themselves were not interviewed within this study. Representatives of respective law-enforcement authorities and Academies gave their opinion on the necessary thematic areas and scope of materials for potential inclusion into curricula.

3. Trainings on asylum in the sub-region organized by international agencies and non-governmental organizations

In the spirit of partnership and cooperation, in order to assist the governments of the Republic of Belarus, the Republic of Moldova and Ukraine in bringing their asylum systems in conformity with international standards, to ensure effective access of asylum seekers to governmental asylum procedures and improve quality of refugee status determination procedures in the sub-region, close to 200⁴¹ various training events on asylum, refugee protection and migration management issues were organized only during 2006-2010 as part of capacity building efforts by DRC, ECRE, OSCE, GDISC, ICMPD, IOM, UNHCR, EUBAM, ENARO and HIAS in the Republic of Belarus, the Republic of Moldova and Ukraine, also with expert assistance and participation of governmental officials from Austria, Denmark, Finland, Germany, Hungary, Lithuania, Latvia, Poland, Romania, Slovakia, Sweden, UK and the US.

Training activities targeted representatives of government authorities to different extent involved in migration and asylum issues, including staff working for asylum authorities (asylum case officers and RSD decision makers), law-enforcement authorities: border guards and police officers – including field staff, officers and senior officers working at central authorities, policy-makers, prosecutors and judges, in particular judges involved into appeal procedures.

Training and awareness building activities were implemented in different forms, including: round-tables, workshops, training seminars, study visits to European countries, lectures and presentations by experts at field sites (e.g. for border guards and police staff), organizing and funding participation of governmental officials in the short-term courses (ECRE/ELENA courses). Training seminars used number of methodologies, including lectures, case studies, interactive activities, role plays, facilitated group work, practical exercises, assessment and feedback on practical tasks and others. Training and coaching were also done through on-the-job training, border monitoring visits, coaching and advice by telephone. There is very positive experience of holding joint case conferences and discussing cases between Bureau for Migration and Asylum and UNHCR Representation in the Republic of Moldova.

The trainings covered wide range of thematic issues on asylum and refugee protection, in particular:

- International refugee law and human rights.
- European and international standards in the field of asylum and migration. ECHR case-law concerning extradition, detention and expulsion.
- Human rights and refugee protection in the context of mixed migration movements, nexus between asylum and migration. Prevention of abuse of asylum systems. Access to territory, access to asylum at the border, profiling and referral mechanisms for asylum seekers from the border guards to migration authorities; legal assessment and border monitoring.
- Refugee definition. Inclusion, cessation, exclusion clauses, *non-refoulement*; manifestly unfounded clause. Humanitarian status (subsidiary protection).
- Refugee status determination procedure. Country of origin information, interview techniques, subjective and objective elements, standard of proof, credibility assessment, drafting RSD recommendation.
- National refugee law and domestic asylum procedures. Role of UNHCR.
- Durable solutions. Resettlement. Integration of refugees. Standards of reception. Conflict management and age, gender and cultural background. Refugees and migrants integration and social cohesion v. xenophobia and racism.
- Sexual and gender-based violence.

During the course of 2006-2010, *the Söderköping Process* focused on 8 thematic areas within the realm of border management, asylum and migration. Prevention of misuse of asylum systems, durable solutions (including local integration of refugees and resettlement), reception centre management, the

⁴¹ Detailed list of trainings based on the provided data is attached as Annex 1. Estimated number is based on the data provided by the interviewed organizations.

role of civil society in refugee protection were thematic areas which were prioritized by the countries involved in the Söderköping Process and various trainings and thematic workshops were held.

Refugee protection and asylum issues were also included into number of *IOM* training seminars and workshops on readmission agreements, protection of refugees within the context of mixed migration movements, in the context of security and border protection. IOM trainings on counter-trafficking, prevention and combating human trafficking, amongst other issues, focused on developing knowledge on interviewing traumatized persons.

The *Secretariat of the Söderköping Process* carried out an extensive mapping exercise in 2009 and 2010 of all trainings carried out in the Republic of Belarus, the Republic of Moldova and Ukraine on asylum, border management and migration issues. Trainings provided by DRC, ICMPD, IOM, UNHCR, EUBAM, the US Government, GDISC, ECRE, OSCE were included in what was referred to as the 'Schedule for 2009' and the 'Schedule for 2010'.⁴²

In the framework of capacity building and training efforts in Ukraine, *Danish Refugee Council* seconded an RSD Expert who worked with the central Ukrainian asylum authorities (SCNR) in 2007 on improving quality of RSD procedures and acted as a focal point for increasing inter-institutional co-operation among the authorities involved in the Ukrainian asylum system. In 2009, the SCNR established country of origin information unit following joint efforts and facilitation by DRC and ICMPD⁴³. UNHCR continued to provide advice and support to COI Unit. In 2009 the Danish Refugee Council prepared with inputs from UNHCR and SCNR, published and distributed the RSD Handbook which includes step-by-step guide to preparing for, conducting and completing RSD procedures. In 2009-2010 the Danish Refugee Council developed training program focusing on child-specific refugee status determination.⁴⁴

In 2009-2010, *UNHCR* offices jointly with *ECRE, ICMPD, DRC, HIAS* and other local non-governmental agencies continued training activities for asylum staff and focused on developing their practical refugee status determination skills, including interviewing techniques, using country of origin information, case assessment, drafting RSD recommendations⁴⁵. In the Republic of Moldova and Ukraine UNHCR and ECRE trainings on international refugee law and human rights targeted judges. Training and awareness building for border guards on asylum and refugee protection issues, access to territory and procedures, profiling and transfer of asylum applications, legal assessment and border monitoring, continued in the framework of EU-funded Regional Protection Programme in the Republic of Moldova and Ukraine and EU-funded project "Strengthening Protection Capacity" in the Republic of Belarus.

ICMPD had a training program for State Border Guard Service targeting both central authorities and field staff, which included training on procedures for screening and differentiating different groups of migrants, determining vulnerable groups, interviewing skills, country of origin information.

Overall, the interviewed agencies supposed that these training activities helped to improve knowledge and skills of governmental asylum officials, increased awareness of border guards, police officers, judges and prosecutors on refugee issues, and in general had positive impact on access to asylum procedures as well as on quality and efficiency of refugee status determination procedures⁴⁶. In all three

⁴² The information from these documents is included in Annex 1, and served as the basis for further elaborating the terms of reference of the EAC feasibility assessment.

⁴³ Since no funds were made available under the state budget to maintain the unit in 2009 the government continued relying on donor funding of this activity from GDISC/ERIT ICMPD project funds.

⁴⁴ The program covered issues of protection of unaccompanied and separated asylum seeking children, guardianship and legal representation, child development and psychology, communicating with children, child-specific COI and its application, specific forms of persecution of children; violence against children in Afghanistan and Somalia. The curriculum "Capacity Building of Stakeholders on Child-Focused Asylum and Social Welfare Systems and Procedures" is planned to be published in 2010.

⁴⁵ Several trainings organized in Ukraine jointly by UNHCR and ICMPD within GDISC/ERIT project in 2009 were specifically focused on protection obligations and drafting of the Refugee Status Determination analysis which aimed at the improvement of drafting skills.

⁴⁶ In 2009 in Ukraine UNHCR conducted series of training events focused on training border guards, police and asylum staff on hand over of asylum applications and *non-refoulement* aspects, as well as on RSD assessments.

countries improved country of origin and interviewing skills were mentioned; in the Republic of Belarus and the Republic of Moldova, increased awareness amongst border guards resulted in improved quality of their work with asylum seekers and effective access to procedures; in Ukraine there were some good developments observed with RSD decisions at appeal level due to continued training of judges; also positive developments and a good progress were observed with the State Border Guard Service in Ukraine, as its officials demonstrated better understanding of the asylum and refugee protection issues and became more open for a dialogue.

At the same time, many interviewed agencies noted that it is not always possible to evaluate the impact of trainings on the quality of RSD work⁴⁷. *Need for effective tools to measure impact* of trainings on quality of RSD work and their efficiency was noted by several interviewed agencies. In view of some agencies, the knowledge gained during trainings is not always implemented in practice; at the same time, the expectations for immediate impact should not diminish the observed (although slower) developments.

The following concerns were noted with regard to the trainings, their impact and sustainability.

1. All listed training events were *funded by external donors*, there were no trainings on asylum and refugee protection issues fully organized and funded by capacities of local authorities⁴⁸;
2. Most of the trainings were *facilitated by international experts* or local experts working for international organizations. Participation of national trainers was limited to lectures and presentations. For Ukraine, it was noted there is a need to build national training capacity, to train trainers and facilitators at governmental asylum authorities⁴⁹. In the Republic of Moldova UNHCR also pointed out lack of local training capacity and expertise on asylum and refugee protection.
3. There is *no comprehensive training strategy* or training plan on asylum and refugee protection issues, developed and applied by governmental authorities in the sub-region⁵⁰, including:
 - a. There were *no systematic and comprehensive training needs assessments* amongst asylum staff;
 - b. There is *no* established routine system for *introductory training of newly recruited staff*;
 - c. *Selection of participants* for training events is not systematic and often depends on availability of staff and not on real training needs; there are concerns if newly recruited staff is systematically included into new training events;
 - d. There are no annual plans determining which particular training needs should be addressed, in which thematic areas and for which categories of staff;
 - e. There are no governmental plans to build *local training capacity* on asylum and refugee protection issues⁵¹;
 - f. No follow-up and *evaluation of the impact of trainings* on quality of work of the staff that attended training events.

Use of training materials distributed at training events could not be evaluated as well.

Several additional factors believed to influence efficiency of trainings conducted by international agencies and non-governmental organizations in the sub-region, including:

However, UNHCR expressed concerns about positive impact of these trainings on practical implementation of access to asylum procedures, in particular, transfer of asylum applications to asylum authorities by police and border guards.

⁴⁷ Limited access of UNHCR to RSD procedures and case files does not allow to evaluate impact in Ukraine.

⁴⁸ Due to the current economic situation in the Republic of Moldova and Ukraine, state funding of asylum authorities remains insufficient, and it is not anticipated that the situation will improve in near future.

⁴⁹ Mentioned by ICMPD.

⁵⁰ Most likely due to the lack of available human resources at asylum authorities.

⁵¹ Insufficient state funding for asylum authorities continues to result in insufficient human resources in the Republic of Moldova and Ukraine.

- High turn-over of staff⁵²;
- Lack of resources; for example, working conditions, which do not allow adhering to certain level of standard and applying obtained knowledge (lack of interpreters, lack of properly organized interviewing rooms⁵³);
- Lack of Russian (and Romanian in case of the Republic of Moldova) language country of origin information sources;
- Inability to systematically reach all target groups in need of training;
- Irrelevant selection of participants⁵⁴ for trainings, including staff who already attended similar trainings in the past, or staff, whose functions are not relevant to the topic of training;
- Limited time-frames for learning, and as a result, limited scope of thematic issues and somewhat surface nature of their coverage;
- Significantly varying level of expertise amongst participants of the same trainings (related to selection of participants)⁵⁵.

When planning and designing further trainings it is very important to reach target groups in need of training; select participants of comparable level of expertise; select relevant contents for particular target groups, i.e. consider their thematic training needs and level of knowledge and skills; have properly qualified trainers and use effective and appropriate methodology; examine possibility to train local trainers and facilitators.

There are indisputable advantages of trainings organized by international agencies as they facilitate professional networking between specialists, give opportunity to share working concerns and exchange experience, facilitate discussions with central authority⁵⁶; large audiences can be covered within limited time-frames; contents can be tailored to needs of target audience in a fast manner; there is immediate feedback from participants, and others.

At the same time, dependence on external funding, external initiative and capacity, absence of training-of-trainers system, coupled with high turn-over of staff in two countries, determines unsustainable nature of these trainings. Conducting training activities is also very resource intensive for international agencies. Systematic coverage of all target groups is not always ensured.

In order to achieve stable development of knowledge and skills, a good methodology and systematic education is needed. Despite clear advantages and anticipated positive impact, trainings that were organized by international agencies and non-governmental organizations can not address the need in locally institutionalized systematic training programs on asylum, also due to the lack of sustainability and somewhat limited coverage of thematic issues due to shortage of learning time. With the introduction of national asylum training program, trainings will continue to play important complementary role due to their advantages. Ideally, in countries of the sub-region there should be national training strategies on asylum developed by governmental asylum authorities, which would also define role and applicability of both approaches based on the existing training needs.

4. Institutionalized educational and training programs on asylum currently existing in the sub-region

There were no educational institutions, which target preparation of lawyers and other professionals specialized on migration, nor on asylum, and until 2003 there were no specific curricula on migration

⁵² in the Republic of Moldova and Ukraine.

⁵³ As an example were mentioned interviewing conditions at some regional migration services in Ukraine that do not allow demonstrating interviewing skills and applying proper interviewing standards, which affect quality of interview.

⁵⁴ Was mentioned in respect of Ukraine, where selection of participants is normally done by respective authorities.

⁵⁵ This led to either in decreased attention of advanced participants, or inactive participation of beginners.

⁵⁶ In the example of Ukraine, training events are used by regional migration services staff as an opportunity to share experience and to receive practical answers and advice from central asylum authority.

law. Personnel currently working at asylum authorities have higher education⁵⁷ and includes lawyers⁵⁸, graduates of “humanitarian” departments of Universities (e.g. Faculties of history, psychology, sociology etc.), teachers, specialists of other “humanitarian” professions. Introduction of migration law curricula has relatively short history similar to the short history of developing understanding on migration, asylum issues and refugee protection and building asylum institutions in the sub-region. Few courses focusing on asylum, refugee law and refugee protection issues⁵⁹, which have relatively modest number of allocated academic hours⁶⁰, were integrated quite recently into the educational programs of several Universities and Academies in the Republic of Belarus and the Republic of Moldova. However, with one exception, such courses do not target staff working at governmental asylum authorities⁶¹.

The efforts towards integrating several courses on refugee law into training programs in the Republic of Belarus and the Republic of Moldova illustrate understanding amongst authorities of the need to include asylum and refugee law issues into educational programs of the national educational system, in particular, at Universities and Academies training border guards and law-enforcement staff⁶². Such understanding to a certain extent also exists in Ukraine, but the least progress was observed here amongst three countries as there was no refugee law course integrated so far⁶³.

The existing courses in the Republic of Belarus and the Republic of Moldova were prepared by local academic capacities in cooperation with UNHCR and using its expertise, practical advice and available resources⁶⁴. Courses include parts focusing on national legislation and local procedures, which were developed based on domestic legislative documents; parts focusing on international refugee law and practices were based, amongst others, also on the materials provided by UNHCR. Some of the existing asylum courses at the Academies of Border Guard Services and Academies of the Ministries of Interior are implemented as “Optional Courses”⁶⁵, but cadets are being instructed to attend these courses. Courses on refugee law and asylum issues implemented at the law-enforcement and border guards Academies, consider the needs of target groups and focus both on theoretical topics (refugee law, refugee definition), and on practical aspects related to the functional roles and responsibilities of staff serving at particular authority.

In addition to the law-enforcement and border guards Academies, UNHCR Representations in the Republic of Belarus and the Republic of Moldova have extensive cooperation with academicians working at Universities, and as a result, courses on refugee law were successfully integrated into training program of Belarusian State University, State University of the Republic of Moldova and Free Independent University of the Republic of Moldova (ULIM⁶⁶). This collaboration is also complemented by effective partnership as the Dean of the Department of International Relations of the Belarus State

⁵⁷ Normally graduated with a “Specialist” degree, which used to be an analogue of Master degree in the past, before the reforms of educational systems in three countries took place and introduced two-level higher education (e.g. foreign students studying at the same departments as local nationals, were graduated with Master Diplomas).

⁵⁸ Graduates of Academies of Ministries of Interior also graduated as “lawyers”: during their 5-years study they studied full scope of legal disciplines equal to the ones at Universities.

⁵⁹ Will be also referred as “Courses”: in view of number of hours and scope do not necessarily amount to the comprehensive curricula.

⁶⁰ When describing asylum and refugee law curricula and courses, the term “Academic hour” (40 minutes) is normally used in three countries. “Academic hour” of 40 minutes is used under the term “hour” here in this Study.

⁶¹ Exception is the re-training courses targeting asylum officers at the Academy of the Ministry of Internal Affairs in the Republic of Belarus, 4.1.

⁶² Courses at law-enforcement Academies were established as a result of recognition by respective authorities of the need to train border guard and police cadets and officers on refugee protection and asylum issues. Establishment of courses was based on decision and instruction from respective authorities, in majority of cases following lobbying efforts of UNHCR Offices.

⁶³ There are few hours lectures at MOI Academy, and once a year 2-hour lecture at Border Guard Academy presented by UNHCR staff.

⁶⁴ In most cases UNHCR was initiating introduction of such courses and then providing expertise, documents and advice. UNHCR Office in Ukraine since 2004 have been trying to assist central border guards and law-enforcement authorities in introducing course on refugee law into training program of several institutions, including Academy of State Border Guard Service, Academy of the Ministry of Interior.

⁶⁵ Introducing optional course is less bureaucratic compared to obligatory course, as introduction and content of the latter must be reconciled and approved by the Ministry of Education.

⁶⁶ ULIM “Universitatea Liberă Internațională din Moldova”.

University is acting at the same time as the Head of Supervisory board the UNHCR partner INA “Evolutio” in the Republic of Belarus, and the professor from the Free Independent University of the Republic of Moldova is the president of UNHCR partner NGO “Law Center of Advocates”. Universities in the Republic of Belarus and the Republic of Moldova also encourage students to write Master Thesis on the topics related to international refugee law and human rights.

While all these courses are institutionalized within educational institutions, in the Republic of Moldova there may be concern about sustainability of the existing refugee law courses, as academicians and teachers reading the course are funded by external donors (through UNHCR Representation in the Republic of Moldova).

Academicians and teachers of Universities and Academies in the Republic of Belarus and the Republic of Moldova expressed their interest in studying detailed content of the European Asylum Curriculum and possibly making subsequent amendment of the existing refugee law and asylum courses using the EAC materials⁶⁷.

In Ukraine, since 2004 UNHCR Regional Representation put continuous efforts into lobbying with central law-enforcement and border guards authorities the need to introduce courses on refugee law into training programs of several institutions, including Academy of the State Border Guard Service, National Academy of the Security Service of Ukraine⁶⁸, Prosecutors` Academy and Academy of the Ministry of Interior⁶⁹. At the moment, asylum and refugees issues are briefly covered by 2-hours lectures, but there are no special course on refugee law and asylum. Currently, UNHCR legal staff reads lectures at the Academy of the State Border Guard Service and also had presentations, provided expertise and advice to the Academy of the Ministry of Interior in developing materials on refugee issue used as part of migration law course.

4.1. Asylum and refugee law courses in the Republic of Belarus

There are three special courses on refugee law and asylum, and two courses covering thematic issues on asylum and refugee protection issues, which are integrated into training programs in the Republic of Belarus⁷⁰, including:

- Course on Refugee Law at the Belarus State University.
- Re-training courses⁷¹ on migration management and refugee protection for staff working at the Department of Citizenship and Migration⁷² (DCM) at the Academy of the Ministry of Internal Affairs staff based on the International Training Center on migration and combating human trafficking of the MIA Academy;
- Re-training course on asylum, refugee protection and migration management for border guard officers at the Faculty for Border Guard Troops of the Institute for National Security of the Republic of Belarus;
- Asylum and refugee protection issues integrated into the optional special course for police cadets “Law-enforcement authorities in the implementation of the institution of migration and asylum” at the Academy of the Ministry of Internal Affairs;
- Asylum and refugee protection issues are covered within the optional course “State Border Policy of the Republic of Belarus on Migration Management” at the Faculty for Border Guard troops of the Military Academy of the Republic of Belarus.

⁶⁷ Some institutions, as BSU, would be also interested to use part of on-line interactive materials, e.g. tests.

⁶⁸ The Expert tried to have a meeting with the National Academy of the Security Service of Ukraine, but received an official response that such training program “is not a priority for the Academy in view of the current reform of the departmental education”.

⁶⁹ Also Kyiv National University of Internal Affairs.

⁷⁰ Please refer to more detailed description of courses in Annex 2.

⁷¹ Staff of Ministry of Interior, including DCM, must attend re-retraining courses once in 3 years, which is an obligatory norm established by the Ministry of Education and MIA.

⁷² The authorities in the Republic of Belarus authorized to deal with asylum issues.

Course on Refugee Law at the Belarusian State University targets students of *the International Law Faculty* and focuses on: international law and human rights; refugee definition, inclusion and exclusion, principle of *non-refoulement*; refugee protection in the Republic of Belarus, refugee status determination; durable solutions; role of UNHCR and other international organizations; extended mandate and other categories in need of protection (stateless, internally displaced persons)⁷³. This is a comprehensive theoretical course, which is not dependant on external funding.

The refugee law and asylum courses at the departmental institutions of law-enforcement and border guards authorities include issues related to international refugee law and human rights and refugee definition, however, they have more focus on legal implementation of domestic refugee law and procedural aspects related to the functional responsibilities of the respective target groups.

In particular, the re-training course «Refugees and Human Rights» on asylum, refugee protection and migration management for *border guard officers* at the Faculty for Border Guard Troops of the Institute for National Security of the Republic of Belarus has more practical focus and covers issues of refugee protection and asylum system in the Republic of Belarus, identification of asylum seekers in the mixed migration movements and identification of irregular migrants, procedures for granting refugee status and migration management.

Re-training course for *asylum staff of the DCM* and optional special course *for police cadets* at the Academy of the Ministry of Internal Affairs include topics on international refugee protection, asylum and asylum seekers status, refugee definition, refugee status, temporary protection, complementary protection; second course also focuses on role of law-enforcement authorities in the implementing the institutions of asylum and refugee protection, refugee definition, temporary protection, complementary protection.

Practical issues related to status determination procedure, such as analyzing country of origin information, interviewing techniques, evidence assessment, standard of proof, drafting and decision making are not covered within the above courses.

4.2. Asylum and refugee law courses in the Republic of Moldova

There are four refugee law courses in the Republic of Moldova: at Free Independent University of the Republic of Moldova (ULIM) and at State University of the Republic of Moldova targeting *students of international law*, at the National Border Guard College in Ungheni targeting *border guard cadets*, and course for *police cadets* at Law Faculty of the Police Academy “Stefan cel Mare”.

All courses at Universities and Academies cover issues related to international refugee law, international protection instruments, forms of refugee protection, refugee definition, inclusion and exclusion, principle of *non-refoulement*, cessation and cancellation of refugee status, domestic legislation and national refugee protection instruments, refugee status determination procedures; at the Border Guard College particular focus is on access to territory and principle of *non-refoulement*, the course is adjusted to meet current needs, as Border Guard functions are limited to the transfer of asylum applications⁷⁴. Course in Police Academy includes some practical case studies developed by the teacher based on the real situations. The courses were prepared by teachers of Universities, Border Guard College and Police Academy in close cooperation with UNHCR Representation in the Republic of Moldova and extensively used expertise and resources (materials) provided by UNHCR.

The teachers' hours of reading the courses are funded through UNHCR projects. There are no realistic prospects for state funding in the near future due to cuts in the state education budget as a result of the ongoing profound economic crisis in the country.

In Universities students are encouraged to use thematic issues on international refugee law and European asylum jurisprudence, ECHR case law, for preparation of their Master Thesis.

⁷³ Please refer to the detailed description in Annex 2.

⁷⁴ Currently it is considered to endow border guard troops with an additional function of further investigation on detained asylum seekers. In case border guards will be given this additional responsibility their educational and training needs may transform. In this case, when such decision is taken, there may be a need to re-visit the issue of required content of asylum curriculum.

In view of the efforts of the Republic of Moldova towards European integration, academicians from Universities consider that their courses need to be amended as to include issues on European Asylum law and policies, European asylum directives and practices. Professors teaching at the Border Guard College and Police Academy also see the need to amend their courses with additional materials touching on European law and practices, considering integration efforts and the need to adhere to European standards in procedures at the borders, including securing effective and uninterrupted access to asylum procedures. Both Universities academicians and teachers at law-enforcement and border guards' institutions mentioned the lack of available materials in Romanian and Russian language, which would help to further elaborate courses. All would be interested to amend and improve existing refugee law courses with additional relevant materials. Needs of target groups will be considered when selecting the scope and thematic issues that can be potentially used, as the materials included into the course must meet the requirements of target audiences.

Interviewed Border Guard authorities also see the need to include special course on international refugee law into curriculum of the Military Institute of the Ministry of Defence, which prepares chief officers; currently, asylum issues are briefly included into more general course on International Law.

Interviewed lecturer from the Police Academy also would like to expand the refugee law course to other faculties, e.g. Faculty for Security and Public Order (preparing street police) and include it into re-training program for police officers. This will be necessary to discuss with the Senior Management of Police Academy. Mainly there will be issue of funding additional teachers' hours, which is not likely to be covered from the state funds.

It is generally anticipated by interviewed teachers and academicians that in view of the EU Mobility Partnership and continuous efforts of the Republic of Moldova towards European integration, establishing of national asylum curricula through transposing of the European Asylum Curriculum will be supported by political will at higher management levels.

4.3. Asylum and refugee law courses in Ukraine

There are no specialized asylum or refugee law curricula or courses at Universities or law-enforcement and border guards Academies (Border Guard Academy, Academy of the Ministry of Interior, Management Academy of the Ministry of Interior, National Prosecutor Academy). At some Universities and Academies, refugee law issues are covered in a very limited scope within migration law course, which in turn, is often a part of international law curricula⁷⁵. At the moment, at the Academy of Ministry of Interior and Academy of the State Border Guard Service asylum and refugees issues are covered within 2-hours lecture for ***border guard and police cadets***.

At the **Academy of the Ministry of Interior** (referred to as "MOI Academy"), international refugee law, refugee definition, inclusion and exclusion, *non-refoulement* issues are covered within 2-hour lecture and 2-hour seminar (total 4 hours) as part of an optional course on migration law for ***police cadets***⁷⁶. The main gap anticipated by MOI Academy was the lack of "practical studies", and there are plans to eliminate this gap in 2010. The MOI Academy acknowledges the need to teach international refugee law and human rights, as well as notions on refugee definition, inclusion and exclusion, UNHCR role, safe third country. However, there is no plan to introduce separate asylum or refugee law course, for the number of reasons: rather low interest to have a special training program on asylum and refugee protection issues; low motivation, which can be also explained by very practical approach of teachers, who do not see practical need for comprehensive teaching of refugee law issues to the wide

⁷⁵ According to ECRE, refugee law is covered by a course in Lviv University, and there are 2-hour lectures on refugee issues for journalists in Kyiv-Mohyla Academy. HIAS Kyiv is trying to integrate a refugee law course into curricula of one of the Universities in Kyiv.

⁷⁶ Following co-operation with UNHCR, total number of hours allocated for the course on migration law has increased from 54 to 72 (including 36 h self-study). Increasing the number of teaching hours up to 8 (4 hours lectures and 4 hours seminars) is under consideration. UNHCR assistance with materials focusing on practical case studies would be appreciated (in particular, case studies on inclusion and exclusion were mentioned). Introduction of a new obligatory training course such as asylum curriculum would require creation of new "specialization" (8 refers), which is not likely to be accepted by the management of Academy.

audience of future police staff⁷⁷; establishing a separate asylum curricula would require additional payment to teachers for additional hours and is not believed to be cost-effective.

The asylum authorities emphasized the need to have a good course on refugee law and asylum within the international law curricula of MOI and Border Guards Academies⁷⁸, as there is a strong need to better cover issues of international refugee law and human rights, refugee definition, inclusion, interviewing techniques, in particular, interviewing children.

During the interview with the representative of the Administration of the **State Border Guard Service**⁷⁹, he confirmed that the border guard authorities at central level understand the need to create and introduce asylum curricula at the Border Guard Academy⁸⁰. The interviewed representatives of the Border Guard Academy (interviewed by telephone) and State Border Guard Service Administration suggested further discussing the issue of including refugee and asylum thematic issues jointly with the State Border Guard Service Administration and the Academy. In the telephone discussion the representative of the Border Guard Academy was hesitant to confirm possibility of establishing separate refugee curriculum at the Khmelnytskyi Border Guard Academy, rather saw possibility to include refugee issues into the course on migration law for border guard cadets, as well as into international law course for border guard officers. At the same time, he suggested to discuss including the refugee issues into the 3 months re-training program at Border Guard Training Center in Arshanets⁸¹. There including a separate course can be considered. The feasibility of including refugee issues into the short-term course for warrant officers can not be tested within this Study, but should be further discussed with State Border Guard Service Administration and its Academy.

At the **Management Academy of the Ministry of Interior** there are no special courses, but refugee and asylum issues are covered by 2 hours lecture and 2 hours seminar within the course on “Protection of Freedom and Human Rights of vulnerable population categories” for *Ministry of Interior officers of managerial levels*. In addition, refugee and asylum issues are proposed as topics for Master Diplomas, and there is an interest to include UNHCR representatives as well as representatives of asylum authorities and use their expertise into this process.

At the **National Prosecutor Academy** there are no special courses: refugees and asylum issues were briefly covered during practical seminars on migration and refugee status issues, which were organized *for prosecutors*. According to the interviewed representative of the National Prosecutors` Academy, introduction of the special course devoted to refugees and asylum is not likely and would not be prioritized in view of the very large audience of prosecutors and large scale of issues they have to be trained on in comparison with the frequency of cases when prosecutors are dealing with refugees issues⁸².

4.4. Conclusion

Refugee law and asylum issues are covered by special courses⁸³, which are institutionalized within training programs of some Universities, Border Guard Academies and Academies of Ministry of

⁷⁷ Each year from 700 to 900 cadets are graduated by the MOI Academy. Total staff of MOI is about 300.000 persons. The MOI Academy does not consider inclusion of refugee law /asylum curricula into their training program as cost-effective and practical.

⁷⁸ The asylum authorities do not believe it is realistic to introduce a separate asylum/refugee law curriculum in these Academies, however, they see need and prospect of step by step introduction of such course.

⁷⁹ The Expert tried to establish joint meeting within its Study, but the invited representatives from Border Guard Academy did not attend the meeting.

⁸⁰ In order to facilitate this process, it is recommended to continue co-operation with the State Border Guard Service Administration and the Border Guard Academy on this issue, in particular, meet the teachers, study training needs, familiarize them with detailed contents and structure of the curriculum, if necessary – assist with selecting appropriate content and materials for new curriculum.

⁸¹ 3-months re-training course for warrant officers and junior specialists.

⁸² UNHCR Regional Representation in Ukraine mentioned prosecutors, in particular officers working at the General Prosecutors Office, as one of the groups that need to be targeted for training on asylum and refugees issues, in particular, on refugee definition, exclusion, country of origin, evidence assessment.

⁸³ Normally Curricula is understood as a wider set of courses and disciplines. It is possible to call these courses “Curricula”, but in the view of the Expert their scope and number of allocated academic hours does not amount to “Curricula”.

Interior in the Republic of Belarus and the Republic of Moldova. Most of these courses were developed using UNHCR assistance and expertise. The courses cover scope of thematic issues on international refugee law and human rights, refugee definition, inclusion, exclusion, *non-refoulement*, and also focus on local legislation and procedures, access to asylum procedures, practical implementation of refugee law and role of governmental authorities. In Ukraine there are no courses in Universities, refugee and asylum issues are not sufficiently covered within courses on migration law at Academies of law-enforcement authorities, the interest to increase the coverage exists only at Border Guard authorities. In all three countries there are good practices of using international refugee law, refugee protection and asylum as thematic topics for Master Thesis.

The existing asylum and refugee law courses can not address the need in nationally institutionalized training programs on asylum in the sub-region for the following reasons:

- The scope of the thematic issues can not address training needs of asylum authorities;
- The existing re-training course in the Republic of Belarus for DCM staff is a good practice, but does not sufficiently cover many substantial topics and does not develop RSD skills;
- In the Republic of Moldova asylum authorities are not targeted and can not benefit from the existing courses;
- In terms of the thematic coverage, ***existing refugee and asylum courses can not be used as a main basis for developing national asylum curricula for asylum and migration staff.***

On the other hand, there was a general interest to amend the existing refugee law and asylum courses. Some of the materials of the European Asylum Curriculum could be used for extending the courses. The academicians and professors who expressed this interest noted that contents of refugee courses must always consider training needs of target groups, e.g functions of law-enforcement authorities. Therefore, the thorough studying, selection of EAC Materials and subsequent tailoring and adjusting of content to local requirements will be necessary for introducing some of these materials in Universities and Academies. They also saw the important role and involvement of UNHCR Representations in this process. The academicians and teachers also noted that better familiarization with the practices of EAC introduction in European institutions would help to facilitate this process.

Teaching in educational institutions and therefore introducing EAC materials is only possible *in state official languages*, i.e. Russian or Belarusian language in the Republic of Belarus, Moldovan (Romanian) language in the Republic of Moldova, and Ukrainian language in Ukraine.

5. Relevance of contents included into existing asylum curricula and trainings with European Asylum Curriculum modules, juxtaposition of thematic issues

5.1. Relevance of the contents and themes covered by institutionalized asylum curricula with the thematic issues of EAC Modules

Based on the analysis of available contents of refugee law and asylum courses introduced in the Republic of Belarus and the Republic of Moldova⁸⁴ and lectures in Ukraine (4.3 refers), as well as based on the interviews during the Study, it was determined that the courses to various level cover topics relevant to the thematic issues of some EAC Modules.

Refugee and asylum courses at Universities and Academies of Ministry of Internal Affairs and Border Guard Academies cover issues relevant to the ***Module 1 “International Refugee Law and Human Rights”***, in particular, human rights considerations in migratory movements and refugee protection, fundamentals of refugee protection in international law, 1951 Convention, development of refugee definition, importance of principles *non-refoulement* and non-discrimination; and to ***Module 3 “Inclusion”***, in particular, refugee definition in 1951 Convention, convention reasons, objective and

⁸⁴ There are no refugee law and asylum courses in Ukraine (4.3 refers). Thematic areas of the lectures will be briefly touched.

subjective fear; Art. 33 *non-refoulement*, right to remain in the country; notions of exclusion and cessation, subsidiary protection.

In Belarus State University, additionally, there are more hours dedicated to issues of exclusion, and somewhat cover issues relevant to the **Module 3:1 “Exclusion”**. The course also touches on theoretical elements relevant to other Modules, except for Modules on European asylum law and procedures⁸⁵.

In the State University of the Republic of Moldova, according to the Dean, some issues relevant to **Module 2 “Introduction to the EU Asylum Law and Policy”** included into the recently amended refugee law course⁸⁶.

Few refugee law and asylum courses include very basics of the refugee status determination procedures (issues somewhat relevant to **Modules 5, 6, 7**), but the content is not practically-oriented and range of coverage is too superficial to be called relevant.

Curricula on Combating Human Trafficking in the Republic of Belarus⁸⁷ at Gomel State University for law students and at the International Training Center of the Academy of the Ministry of Internal Affairs in the Republic of Belarus for border guards, as part of identification of trafficking victims cover issues relevant to **Module 6:2 “Interviewing traumatized persons”**. Although these courses do not focus on interviewing asylum seekers, they sufficiently cover psychological aspects of interviewing traumatized persons, recognizing post-traumatic stress disorder, establishing contact with persons who experienced trauma.

Refugee law and asylum courses target international law students, border guard and police cadets, partially police officers and, in the Republic of Belarus, asylum authorities (as part of re-training course). However, limited number of hours allocated for practical refugee status determination issues, in particular, within re-training course for asylum authorities, as well as strong focus on domestic legislation and national procedures, can not ensure sufficient coverage of RSD topics necessary for training of professional asylum specialists.

Asylum authorities in the Republic of Moldova in Ukraine, judges and prosecutors, border guards and law-enforcement field staff in three countries are not covered by these courses.

5.2. Relevance of the contents and themes covered by trainings on asylum organized by international agencies with the thematic issues of EAC Modules

Issues and topics that were covered during the training activities organized by various international agencies and NGOs, including UNHCR, ICMPD, IOM, DRC, ECRE, HIAS, to various extent touched nearly all EAC Modules, with the exception of advanced Module 2:1 “Dublin Regulation”, which is not relevant for the sub-region. Focus varies depending on the target groups.

More extensively issues relevant to the following EAC Modules were covered:

Module 1 “International refugee law and Human Rights”, i.e. Human rights considerations in migratory movements and refugee protection, fundamentals of refugee protection in international law, 1951 Convention, development of refugee definition, importance of principles *non-refoulement* and non-discrimination;

Module 3 “Inclusion”, i.e. refugee definition in 1951 Convention, “well-founded fear”, convention reasons, objective and subjective fear, refugee “*sur place*”, agents of persecution, internal flight alternative; Art. 33 *non-refoulement*, right to remain in the country; notions of exclusion and cessation, subsidiary protection;

Module 3:1 “Exclusion”, there was special focus on Article 1 D, E and F of the Geneva Convention;

Modules 3:2 “End of Protection”, Cessation grounds;

Module 5 “Country of Origin Information”, i.e. COI role in the RSD, importance of COI in asylum procedure, standard of quality concerning COI research, importance of COI evidence etc.;

⁸⁵ Except for EAC Modules 2, 2.1, 4, 4.1.

⁸⁶ No contents of course were available yet.

⁸⁷ Introduction facilitated by IOM, refer to 9.

Module 6 “Interview Techniques”, i.e. preparing for interview, specific interview techniques, role of interpreter, interview conditions, clarifying inconsistencies, interview report, etc.;

Module 6:1 “Interviewing Children”; **Module 6:2 “Interviewing Traumatized persons”**;

Module 7 “Evidence Assessment”, legal assessment, credibility assessment, subjective and objective factors, benefit of a doubt, inconsistencies in interviews;

Module 8 “Drafting and Decision Making” – special focus was given to the latter two Modules at training seminars organized jointly by UNHCR and ICMPD within GDISK/ERIT project in 2009 in Ukraine.

In 2009 Danish Refugee Council developed and published **“Handbook on Refugee status determination”** in English, Russian and Ukrainian, which extensively covered all aspects of refugee status determination procedures.

Module 6:1 “Interviewing Children” was covered by trainings, in addition, Danish Refugee Council developed a special Curriculum “Capacity Building of Stakeholders on Child-Focused Asylum and Social Welfare Systems and Procedures”, which specifically focuses on child development and psychology, interviewing children, protection of unaccompanied and separated asylum seeking children, communication with children, child-focused refugee status determination.

Module 6:2 “Interviewing Traumatized persons” although not focused particularly on asylum seekers, very relevant content to this Module was covered during IOM trainings for border guards on combating human trafficking, where issues on interviewing traumatized persons were included as part of training on identification of victims of trafficking. ICMPD covered relevant issues (identifying and interviewing vulnerable groups and working with them) during trainings for border guards as part of its projects on establishment of Screening Centers.

Trainings on relevant issues covered asylum authorities, case officers and decision makers, law-enforcement and border guards (including field staff, representatives of regional administrations and central authorities), judges, prosecutors, also governmental officials representing other authorities (Ministry of Justice, local administrations etc.). There are however concerns that not all target audience was systematically reached (3 refers), especially amongst asylum authorities.

It should be noted that while thematic contents of training seminars were definitely relevant to thematic issues covered by EAC Modules, and while large number of materials was used for preparation of these trainings, the amount of contents included into these trainings was lesser and yet can not be compared with the comprehensive scope of materials used in EAC Modules.

Contents of Modules 2 “Introduction to EU Asylum Law and Policy” and Module 4 “Asylum Procedure Directive”, partially Module 2:1 “Dublin Regulation”, were covered during ECRE/ELENA Courses as well as in course of Study Visits to EU countries. There was minimal focus on them, since target audience required only very general knowledge on these issues.

5.3. Conclusion

Contents relevant to the EAC Modules 1 “Human Rights and International Refugee Law” and 3 “Inclusion” were regularly covered both by refugee law courses in Academies and Universities and by trainings done by international agencies. Contents and thematic issues relevant to Modules 3:1 “Exclusion” and 3:2 “End of Protection” were more extensively covered by trainings, with less comprehensive coverage by refugee law courses.

Contents relevant to Modules 5 “Country of Origin Information”, 6 “Interviewing techniques”, 6:1 “Interviewing Children”, 6:2 “Interviewing traumatized persons”, 7 “Evidence Assessment”, 8 “Drafting and Decision Making” are not covered, or touched very superficially, by courses, but very comprehensively were covered by trainings.

There is a strong interest in continuing trainings on more or less the same issues (Module 3, Modules 5-8), since not all target groups could be systematically reached, and limited time of trainings did not allow achieving a required extent of coverage.

There is also an interest to issues relevant to the contents of the EAC Modules 2 “Introduction to Asylum Law and Police” and 4 “Asylum Procedure Directive”, as part of familiarization with European practices. However, there is no demand for comprehensive coverage.

The forms and the scope, in which the required contents were integrated into existing training programs so far, do not address the need in systematic and comprehensive education of the specialized asylum staff on asylum and refugee law issues.

6. Prospects and feasibility for transposition of European Asylum Curriculum

The focus will be on assessing feasibility of *transposing EAC* or establishing vocational training programs based on the EAC contents, its structure and e-learning methodology, for specialists working with asylum issues, *for asylum authorities* as a priority. Some representatives of governmental authorities and judiciary involved in asylum issues (e.g. border guards, judges, prosecutors, police officers, policy-makers) may also benefit from this program on individual basis after it is established.

It should be noted that there were no particular concerns amongst asylum authorities as for the applicability of e-learning as a training methodology⁸⁸. Representatives of asylum authorities, with the exception of a senior manager in the Republic of Moldova, were very open towards e-learning education and did not foresee any particular problems with adjusting to it. Considering the improved familiarity with Internet browsing in general, and the user-friendly interface, it is anticipated that e-learning methodology is applicable for this group and there are no particular concerns about its feasibility.

To determine the feasibility the following elements will be assessed:

- Technical infrastructure (availability of computers and internet);
- Language requirements;
- Availability of institutionalized training base;
- Establishing system of national trainers.

6.1. Assessment of technical infrastructure at governmental asylum authorities

The minimal requirement for transposing EAC through establishment of a training program using **e-learning platform** is availability of reasonably modern computer equipment with stable Internet access (preferably ADSL/DSL/leased line connection).

In the Republic of Belarus, at Ministry of Internal Affairs there are enough computers that would meet minimal requirements, but there are **limitations as for the use of open Internet**⁸⁹: MIA staff can only use MIA Intranet, computers do not have access to open Internet. The asylum authority, Department of Citizenship and Migration, is part of MIA and therefore staff does not have access to open Internet at their workplace. This applies both for central authority in Minsk and regional migration services.

Introduction of training program based on e-learning platform would require efforts of governmental authorities to find a solution, e.g. to have one dedicated stand-alone computer with access to open Internet in each migration service. Since access to open Internet would also allow asylum staff to search more country of origin information and use more COI sources, and therefore would likely improve quality of RSD procedures, this solution would have other benefits and therefore may be recommended for consideration by authorities.

Such technical solution (1) may require additional funding for purchase extra computers if they are not available, (2) requires approval of MIA management. In case principal decision on EAC introduction is taken, it is anticipated that approval for dedicating extra computer with open Internet may be obtained, also in view of its additional benefit. It will be necessary to assess availability of state funding for

⁸⁸ Concerns related to technical infrastructure are looked in 6.1.

⁸⁹ At the International Training Center of the MIA Academy there are no such limitations and there is normal Internet access.

purchase of new computers, and in case it is not available - there might be a need for governmental authorities to look for external donor funding.

Alternatively, the asylum specialists in Minsk could use computer classes of the International Training Center⁹⁰. However, it does not resolve problem with Internet access for asylum staff in the regions.

During the interview with the International Training Center of the MIA Academy, the Management of the Academy and the Head of Department for Technical Support, briefed on the on-going project of Academy to develop an Internet-based “training network”, which will include ITC, central MIA Administration and MIA regional branches (MIA authorities in the regions). Such “training network” would allow conducting trainings with regional MIA offices, including asylum authorities in the regions, over Internet using videoconferencing equipment. It is a comprehensive on-going project, in order to establish such educational “training” network, it is necessary to purchase computer hardware, including powerful servers and workstations, as well as videoconferencing equipment⁹¹. The asylum authorities could have additional benefit from establishment of such network, as videoconferencing equipment would allow using remotely located interpreters. At the moment there are no funds to cover full cost of this project, and authorities plan to look for external funding as a part of their partnership and co-operation with donor organizations⁹².

It was also mentioned by the Head of Department of Technical Support that in case the necessary equipment is purchased, the e-learning platform of asylum curriculum could be located at one of their servers. This would ensure efficient technical support to the process of running the e-training.

In the Republic of Moldova, there are both computer equipment and Internet access at Bureau for Migration and Asylum (BMA). The fairly modern computers were purchased through UNHCR projects, which also cover Internet running costs. In terms of prospects for having locally institutionalized training program completely run and funded by authorities, there is a general concern about sustainability of such arrangement. It is not anticipated that in the near future there will be state funding for running costs of Internet and, when necessary, modernization of computer equipment.

In Ukraine, according to the State Committee for Nationalities and Religions⁹³, in central authority and in regional migration services there are fairly modern computers and Internet access, although some migration services experience difficulties with accessing Internet due to the lack of state funding to cover running costs of Internet⁹⁴. The SCNR believes these problems will be resolved soon and regional migration services will have uninterrupted access to Internet covered from the state budget, which will ensure local institutionalization of the training program.

Therefore, in terms of technical infrastructure there is a need to address the issue of **access to open Internet** at work-place for asylum authorities **at the MIA of the Republic of Belarus**. In the Republic of Moldova the infrastructure exist, but currently funded by external donors. In Ukraine the infrastructure at central level exists, but require further examination amongst regional migration services⁹⁵.

6.2. Language requirements

Special attention was paid by the Expert to the issue of language, which can be used for transposing EAC or otherwise introduction of a national asylum curricula and/or vocational training program. It was emphasized by government officials in all three countries that English language is not applicable for

⁹⁰ During interview the asylum authorities and MIA Academy confirmed that theoretically it is possible, but (1) depends on the existing schedule at the ITC and (2) constitute inconvenience for asylum staff in Minsk.

⁹¹ The estimate of the total budget of this project is available upon request.

⁹² Partial financial support to this project was mentioned as one of the possible forms of co-operation on establishing national training program on asylum.

⁹³ There was somewhat different information received from other interviewed agencies.

⁹⁴ If the decision on introduction is taken, there may be need for further examination of situation with Internet in 25 regional migration services.

⁹⁵ It was anticipated that detailed information would be given during the interview. It was not available during the interview with the authorities (SCNR), and the short-term timeframes of this Study did not allow for more detailed examination.

vocational training program on asylum due to the very limited number of English-speaking specialists in the sub-region. For teaching in educational entities only official state language is applicable (4.4 refers).

For transposing EAC as a vocational training program Russian language could be applicable for both the Republic of Belarus and Ukraine⁹⁶. For introduction in the Republic of Moldova, translation into Romanian language is necessary to ensure effectiveness of training⁹⁷. Although asylum staff in the Republic of Moldova speak fluent Russian, for EAC training, especially in such areas as case assessment, drafting and decision making, due to specific terminology, which then needs to be used in professional work, only Romanian language would be appropriate. However, Russian language would be acceptable for familiarization purposes.

Allocating resources for translating materials into Russian and Romanian language is a necessary precondition for EAC introduction in the sub-region. According to the authorities, it is not feasible to cover costs of translation from the state funds. Therefore, the interested authorities may need to approach external donors for funding translation costs⁹⁸.

According to the EAC Management Team, there are no major technical problems with translation and incorporating all aspects of on-line part of the Modules, i.e. contents, interface and interactive materials⁹⁹.

Translation into Russian language will potentially provide additional benefit for other Russian-speaking CIS countries in case they will consider EAC introduction for asylum and migration staff in future¹⁰⁰.

6.3. Determining availability of a training center, on which basis the national training program on asylum can be run

In order to determine feasibility of transposing EAC, the Expert looked into availability of a governmental training center, on which basis it would be possible to transpose EAC and introduce training program on asylum, as a vocational training program or in form of re-training courses.

Using *Academies of Border Guards in three countries, Academies of Ministries of Interior in the Republic of Moldova and Ukraine, and Universities, as possible training center does not appear to be feasible* for transposing EAC for asylum authorities. These educational entities (1) in majority do not have sufficient technical infrastructure and capacity to establish additional training platform for managing e-learning course only based on its own resources; (2) would require major amendments to their training program in order to accommodate training needs of asylum specialists; (3) would require additional financial investments to cover costs related to increasing number of teaching hours and, in majority of cases, establishing technical infrastructure. These resources can not be ensured through state funding, which raises concern about further sustainability and good institutionalization prospects. In some educational entities establishing of a new training course based on e-learning methodology is not feasible within their training plans.

During the discussions with the Dean of the International Law Faculty of the State University of Belarus, he was ready to consider introducing the EAC on the basis of State University, however, he confirmed that there would be a need for major project proposal, covering all aspects of the required additional resources (additional human resources, additional to the existing technical infrastructure: computers and Internet access), and then to look for external funding of this project, since such investments could not be funded from the state budget.

⁹⁶ As confirmed by the State Committee for Nationalities and Religions during the interview with the Expert.

⁹⁷ The time-frame of the EAC introduction in the Republic of Moldova may depend on the availability of Romanian translation. According to the EAC Management Team, no module is for the time being translated into Romanian. Romanian authorities are considering it. For more information EAC National Contact Point in Romania should be contacted.

⁹⁸ The following basis for cost estimate was given by EAC Management Team: the number of manuscript pages varies between 90-195 pages, depending on module. The trainer's manual for each module is about 30-80 pages.

⁹⁹ E-mail dated 8 June 2010: "translation of a module includes all parts of the module including all aspects of the online part. The EAC team will then integrate the translation on the e-learning platform. This is not a technical challenge but somewhat time consuming."

¹⁰⁰ Potential interest of other CIS countries is outside of the terms of reference of this Study.

In the Republic of Belarus , introducing EAC as an e-learning training program appeared to be feasible *on the basis of the International Training Center of the Academy of Ministry of Internal Affairs (MIA)*, which has training capacities and experience in running re-training courses and using distance learning methodology. There are strong prospects for institutionalization of national program on asylum on its basis for the following reasons:

- The idea of establishment of the national training system on asylum through transposing EAC was supported by representatives of the Ministry of Internal Affairs, which supervises the academy, during the EAC workshop organized by Söderköping Process Secretariat. Therefore, it is anticipated that the necessary “political will” exists at higher level.
- It is official educational entity of the Ministry of Internal Affairs, which has necessary authority to train and certify MIA staff, including asylum staff (DCM) in the framework of obligatory for MIA staff re-training courses;
- Therefore it is most appropriate educational base for asylum staff in the Republic of Belarus, which was again re-confirmed during the interviews with DCM and the Academy of MIA;
- The MIA Academy also has authority to train border guards;
- Teachers are funded from the state budget;
- Teachers were very open to using modern e-learning methodology. There is experience of distance learning courses on the basis of this training center, which can be also relevant;
- Computer classes with Internet access are available at this training center;
- In terms of possible expansion to the sub-region, the ITC also has the authority to train and issue certificates to “international” students. Therefore, there would be room for the discussion between authorities of the Republic of Belarus and Ukraine about possible inclusion of asylum staff from Ukraine into the training program¹⁰¹.
- According to the Management of Academy, there are English-speaking teachers¹⁰².
- As an additional advantage, the ITC has experience and capacities in training on techniques of interviewing traumatized persons.

There should be official decision and instruction issued by the Ministry of Internal Affairs on the introduction of a new re-training program and certain standard administrative procedures will have to be followed (8 refers). However, the Management of the Academy advised the Expert that in case there is a decision issued by MIA, the administrative procedures can be smooth.

If such decision is taken, as a part of implementation strategy there will be a need to resolve the issue of contents: from one hand, the asylum authorities and teachers of the Academy would like to tailor EAC to local needs and include specific provisions related to national legislation; from another hand, there is no such experience in European countries, since the main purpose of EAC is harmonization and it is advisable to use the unified contents. However, as suggested by EAC Management Team, there is room in the face-to face session to add elements of a more national character, cases, specific legislation etc. The possibility to include national specific into final face-to-face sessions, and use standard EAC contents as a basis, would give more room for including authorities of other countries from the sub-region into the training program.

Asylum authority **in Ukraine**, the *State Committee for Nationalities and Religions* expressed readiness to introduce training program on *its institutional base*, using its existing human resources, i.e. to train working specialists and have them as national EAC trainers. There is possibility to implement EAC in accordance with the existing instructions, *if the EAC introduction does not require additional financial resources from the state budget*, emphasized SCNR representatives. In case there will be

¹⁰¹ It in principle would also apply for Russian-speaking asylum authorities of the Republic of Moldova, but it in the course of the Study it was determined that Romanian language is the most appropriate for training.

¹⁰² Those who do not speak English language yet, attend English language course.

need for additional resources and their funding from the state budget, it will likely lead to the protracted situation with implementation of this good initiative.

The practical implementation of this solution and feasibility of establishing national training program on asylum within current capacities and using existing human resources of this authority requires more thorough analysis and further examination. The SCNR informed that there are good experts amongst specialists working for asylum authorities, who could be EAC-certified national trainers. The SCNR prefers to see practitioners as national trainers on asylum rather than teachers with academic background. However, currently **there is no position of “trainer” at asylum authority** and its creation would conflict with the condition above (“EAC introduction should not require additional funding”).

If the SCNR decides to assign its experts to become national trainers, strong efforts will be required to ensure that training of further specialists is not jeopardized by job overload and lack of time of the assigned national trainer. Before taking the final decision, it is recommended that the SCNR management would re-visit this matter and thoroughly assess practicalities of such arrangement, in particular: determine number of specialists to be trained per year (out of total 140-150), number of required EAC trainers, and analyze number of hours that each EAC trainer must dedicate to overseeing learning per day, per week and per month¹⁰³. Based on such assessment, it can be better understood whether a duty of national trainer can be combined with other, not related to training activities, job responsibilities.

The SCNR representatives themselves do not see major problem in using their existing capacities for assigning national trainers and establishing national training program *for their own staff*. When the Expert proceeded to discussion on potential inclusion of staff from other agencies into the established asylum training program (judges, prosecutors, border guards, law-enforcement authorities), the SCNR confirmed that then it would require additional human resources and could not be accommodated within existing capacities.

Although in view of the SCNR it is feasible and most appropriate solution in Ukraine to establish training program on its institutional basis, it is important to ensure that such arrangement would adequately address training needs of asylum specialists and other target groups, and that multi-functional character of national EAC trainer would not have negative impact on educational process for trainees. If there will be a need for additional resources and no prospects for funding from the state budget, the SCNR will need to consider applying for external funding¹⁰⁴. It was noted by the SCNR that looking for additional external donor funding may also result in severe delays in introducing the EAC, while any delays should be avoided in view of the instant need in systematic training program on asylum.

The alternative to the introduction on the basis of the State Committee for Nationalities and Religions would be introduction of EAC as a re-training course based on the Management Academy of Ministry of Interior. There are re-training courses for civil servants, and the establishment of training program on asylum could be considered in form of the re-training course there. At the same time, feasibility of transposing EAC as e-learning program on that basis could not be determined. The e-learning is not used so far, and the distance learning methods are under development (not applied yet). Only “traditional” 6-days re-training courses exist. It could be possible to work in this direction, but requires a lot of continuous lobbying efforts and follow-up by the authority interested in the establishment of such training (SCNR) with the “Chief-State-Service” – authority responsible for re-training of civil servants. The procedure of such introduction is anticipated to take prolonged time.

In case it is determined that EAC introduction in Ukraine may be delayed, or requires additional human and financial resources that can not be allocated within the state budget of Ukraine, the asylum authorities in the Republic of Belarus and Ukraine may also consider and discuss possibility of pilot introduction of EAC on the basis of International Training Center of the Academy of Ministry of Internal Affairs in the Republic of Belarus, and including some asylum specialists from Ukraine into the training program at initial stages of EAC introduction.

¹⁰³ Information on exact number of hours, which EAC trainer should dedicate to overseeing learning of EAC Modules, can be requested from EAC Management Team.

¹⁰⁴ For example, look for EU-funded projects supporting training activities.

In the Republic of Moldova, Director of the Bureau for Migration and Asylum expressed low interest in introducing EAC for asylum staff, therefore the practical modalities of introduction were not discussed¹⁰⁵. Considering interest of some BMA specialists in EAC, the acknowledgement of their training needs, and absence of national training program on asylum, and in view of their close co-operation with asylum authorities in Romania, one option would be for authorities to look into possibility of linking with EAC training program in Romania – in case EAC has been introduced in Romania. Alternative would be to have a system similar to that proposed by the SCNR in Ukraine, i.e. to have a national EAC trainer to further train BMA staff. Introducing EAC curriculum for asylum staff in the Republic of Moldova on the basis of any educational entity would require additional financial investments, which can not be covered by state budget, and does not seem to have good prospects for institutionalization in near future.

In case asylum authorities in Ukraine and the Republic of Moldova decide to establish EAC training programs based on their institutions, there will be need to determine forms of formalization, as well as need for serious efforts in developing comprehensive training strategy, allocating sufficient human resources, establishing system of national trainers, obtaining commitment of national trainers to allocate sufficient amount of working hours to work as trainers.

6.4. Establishing system of national EAC trainers

For establishment of asylum training program based on EAC, there will be a need to have initial group of trainers *fluent in English*¹⁰⁶, who could be trained and certified by an existing EAC certification center. Then these trainers could further train asylum staff and other specialists in Russian or Romanian languages.

For the purpose of sustainability and institutionalization, these trainers must have governmental funded positions at state authorities or educational institutions and have required level of proficiency and expertise in the areas of international refugee law and refugee status determination procedures.

Governmental authorities pointed out that costs related to initial training of national trainers (i.e. their travel and accommodation abroad) can not be funded from the state budget.

6.5. Conclusion on feasibility of transposing EAC as e-learning for asylum authorities

Translation of EAC contents in Russian and Romanian languages, identifying national English-speaking trainers and ensuring their EAC certification based on train-the-trainers system, are preconditions for transposing EAC. At the moment there are no state funds to cover the related costs in the sub-region. It may be recommended that authorities within the sub-region establish common initiative and jointly search possibilities of external funding, e.g. within available EU projects targeting support of training activities.

This also applies to the concern about current availability of technical infrastructure in the Republic of Belarus (need for dedicated computers with open Internet access for asylum specialists doing e-learning). The Study recommends addressing this concern through finding alternative technical solution, e.g. stand-alone machines with open Internet access, which has other benefit as access to COI sources. However, there may be also need for additional equipment. If additional equipment can not be covered from the state funding, this should be also addressed by the interested authorities through searching for external donors' financial support¹⁰⁷.

After the initial investments, introduction of EAC is believed to be feasible and have strong prospects for local institutionalization in the Republic of Belarus, on the basis of International Training Center of

¹⁰⁵ According to the information shared with the Expert, on previous occasions, the Head of Refugee Directorate of the Bureau for Migration and Asylum manifested interest in introducing EAC; however, she was not available for meeting with the Expert.

¹⁰⁶ There are not many English-speaking representatives of governmental authorities and educational institutions, who would also have strong expertise in asylum and refugee protection issues. But it was confirmed by authorities in all three countries that such trainers could be identified. Number of trainers per country may also vary depending on training needs.

¹⁰⁷ Alternatively asylum specialists can negotiate with ITC using its computer classes, which is less convenient.

the Academy of the Ministry of Internal Affairs, in view of the existing governmental training infrastructure.

In Ukraine and the Republic of Moldova there are no governmental training centers that would be available and ready to assist in transposing EAC.

In Ukraine, transposing EAC on the basis of the State Committee for Nationalities and Religions would give good prospects for institutionalization, but demands strong efforts to resolve capacity issue. In practice, introducing EAC and running national asylum training program based on existing capacities and human resources may turn out less feasible than initially expected. It may prevent from addressing adequately training needs of asylum specialists, undermines the possibility to include specialists from other authorities into training on asylum and refugee law issues, and may jeopardize overall efficiency of the established training program.

It is recommended that before taking the final decision the SCNR conducts thorough analysis of availability and number of staff required to act as EAC trainers versus number of specialists in need of training each year.

6.6. Feasibility of EAC introduction in Academies and Universities in the sub-region: using limited range of EAC Materials

Following discussions on the prospects for transposing EAC and establishing national asylum training programs in the Republic of Belarus, the Republic of Moldova and Ukraine, based on the opinion of academicians and teachers, the Expert concluded that at the moment **there is no rationale and in most cases it is not feasible to introduce EAC in form of e-learning program at Universities, Border Guard and Police Academies** for the number of reasons, including:

- In some institutions establishment of e-learning course would not be feasible, since it is not in line with the existing instructions and provisions, as advised by its teachers;
- Given that e-learning methodology is not applied in Universities, in those institutions, where theoretically such possibility exists¹⁰⁸, for one EAC Module there will be a need to follow long and **extensive bureaucratic procedures**, involving Ministry of Education. To establish such specific e-learning training curricula there will be need for negotiations on the extensive program; calculating number of dedicated academic hours; obtaining approval of contents from Ministry of Education (8.1 refers); approval of e-learning method of teaching. In a complex, this will require very prolonged time-frames and may not lead to positive result, i.e. there is no guarantee that it will be approved at the end;
- E-learning would not be feasible in view of **lack or limited availability of appropriate technical infrastructure** (computers + Internet access) at most Academies and Universities¹⁰⁹;
- It is not likely to accommodate e-learning course such as EAC within existing resources of educational institutions. As a minimum, it will result in need to pay for additional teaching hours¹¹⁰. In some cases there may be need for additional human resources, as some academicians assumed, but more thorough analysis is necessary to determine this:
 - To establish exact number of teaching hours required for one EAC Module, the academicians need to study full scope of contents of this Module and to transform the contents into the “course program” in line with the required format; then the number of teaching hours can be calculated and necessary human resources can be determined considering the number of students in the groups;

¹⁰⁸ Only at the Belarus State University, the Dean of the Faculty of International Relations during the interview advised that theoretically it is possible, but will require additional financial investments, 6.3 refers.

¹⁰⁹ There are computer classes at some Universities and Academies, e.g. at Belarus State University, where the Dean was more open to e-learning as compared to other educational institutions. At some Academies computer classes exist, but are intensively occupied, in some institutions equipment is old and Internet is poor.

¹¹⁰ Such assumption was articulated by academicians during the interviews with the Expert; they supposed that each student will require quite intensive individual supervision (completing tasks, giving feedbacks etc.).

- Requesting additional state funding to improve technical infrastructure and cover additional teaching hours (or increase human resources capacities) will not be satisfied by state authorities due to the low numbers of required asylum and migration specialists¹¹¹;
- **Large scope of very specific materials** targeting mainly asylum case officers and decision-makers¹¹²
 - and very limited number of students who would benefit in their future professional activity from studying the full scope of materials;
- Introducing program at educational institutions would require translation into all three languages;
- **Motivation of cadets for self-study** and their self-discipline are low (as evaluated by academicians). Due to large scope of materials intended for self-learning, this methodology would not be efficient for cadets; the same apply for majority of students as well;
- Establishing refugee courses within training programs of most Universities and Academies is fairly recent development, therefore there were concerns expressed by some interviewed agencies in relation to the strength of local training expertise on refugee law and asylum issues.

At the same, as noted in 4.4, *there is a great interest in the Republic of Belarus and the Republic of Moldova to integrate some EAC materials into training programs of the Academies and Universities through extending refugee law and asylum courses*. There is also existing interest at the State Border Guards Service of Ukraine to create an asylum curriculum.

In case of Belarus State University, it would be possible to continue discussion on the need and possibility of introducing e-learning of one EAC Module (or more) for international law students: in particular, the Dean of the International Relations Faculty was interested to use some EAC interactive and on-line materials, but for practical discussions he requires thorough familiarization with EAC contents.

As advised by the EAC Management Team, due to European property right **it is not possible to obtain free of charge access to EAC materials** for government officials and /or academicians in order to select materials for creating a country-specific curricula for asylum decision makers, as well as for amending current curricula at Universities, Border Guard and Police Academies in the Republic of Belarus, the Republic of Moldova and Ukraine.

In order to be allowed to use EAC materials in the national training, respective authorities need to have trainers that have completed the EAC train-the-trainer course.

It will be necessary to identify potential trainers¹¹³ and certify them as national trainers on European Asylum Curriculum. Then their expertise can be used for *amending refugee law and asylum curricula in Universities and Border Guard and Law-enforcement Academies* in the Republic of Belarus and the Republic of Moldova and for establishing refugee law/asylum curricula in interested Academies in Ukraine.

¹¹¹ Introduction of a course must be initiated and lobbied by authorities that are interested to employ specialists with particular knowledge and skills. Please refer to more details in 8.

¹¹² It must be considered that amongst students and cadets very few will be working in the area of asylum and refugee protection, therefore, they do not need the full scope of materials, which is included in the EAC. It was pointed by interviewees, that the methodology and purpose of the EAC is rather applicable for re-training courses for migration and asylum staff working on the refugee issues, rather than for students and cadets.

¹¹³ Authorities should consider including academicians and teachers from the Academies into the pool of national EAC-trainers. However, the limited number of English-speaking teachers and limited number of trainers to be certified at first stage must be considered.

7. Analysis and recommendation regarding which of 13 modules of European Asylum Curriculum can be potentially integrated or are of more immediate interest and relevance in the Republic of Belarus, the Republic of Moldova and Ukraine

7.1. Assessment of training needs is necessary for various potential target audiences

The profiles of the different potential target “audiences” outlined in 2.1, i.e. asylum authorities, border guard and law-enforcement authorities, cadets of border guard and police Academies, prosecutors, judges, and international law students, their notably varied functional responsibilities and training needs require separate examination of the relevance and scope of EAC Modules, which can be introduced for training of particular “target group”¹¹⁴.

Based on discussion with authorities, UNHCR and its partners the Expert concluded that introduction of all EAC Modules in the sub-region is not relevant and not feasible and at this point. The authorities favored the idea of the step-by-step introduction of Modules and phase approach, however, prioritized more than one of the EAC Modules for priority introduction.

When discussing the interest and relevance of particular Module, the interviewed government officials and academicians pointed out that they are not familiar enough with the contents of the EAC and need more familiarization with its content in order to decide on the relevance and priority of each Module¹¹⁵.

For purposes of analyzing the need, feasibility and priority of introducing one or more EAC Modules in the sub-region, the Expert asked representatives of asylum authorities in all three countries to identify thematic areas, where the need for professional development and improvement of knowledge and skills is required as a priority, in accordance with the scope of issues covered by the thematic EAC Modules.

Asylum authorities in all three countries feel fairly strong about professional knowledge and skills of the asylum case officers. At the same time, in order to improve standards and quality of RSD procedures, asylum authorities admit the need for further improvement of professional knowledge of their staff in the areas of international refugee law and human rights¹¹⁶, refugee definition, inclusion and exclusion, and developing skills on working with country of origin information, interviewing skills, legal assessment and preparing recommendations on asylum cases.

In the Republic of Belarus, there are about 20-25 DCM asylum staff in need of training, in the Republic of Moldova – up to 12 staff, including 4 RSD staff, in Ukraine – up to 140 to 150 asylum specialists that need to be covered by national training program on asylum.

Representatives of *border guard and law-enforcement authorities* in the Republic of Belarus and in the Republic of Moldova, as well as academicians preparing border guard and law-enforcement staff, recognize the need for additional training on asylum and refugee protection issues for field staff, improving skills and knowledge, which are necessary to adhere to EU standards and keep higher standards of identification and referral. In addition to developing knowledge on international refugee law and human rights, with particular attention to *non-refoulement* principle, knowledge of 1951 Convention and refugee definition, inclusion and exclusion issues, they emphasized the need to focus on practical knowledge and skills, which are relevant to their functions, in particular, interviewing skills were mentioned¹¹⁷. UNHCR in three countries supported the view that training should be continued on

¹¹⁴During the interviews various governmental agencies stressed that their interest to the contents of EAC Modules and opinion on which Module(s) should be prioritized are mostly based on relevance of the contents of particular Module(s) to their core functions.

¹¹⁵ Very few interviewed specialists were familiar with the EAC contents, including some of the participants of the EAC Workshop in October 2009. Most interviewees asked the Expert to brief on the contents and structure of the program, which was done in the course of the interviews. Their opinion is therefore based on the brief contents of EAC Modules given in the EAC brochures shared during the interviews.

¹¹⁶ Pointed out that it can be priority for new-comers, but not a priority for working staff, who were extensively trained on these issues.

¹¹⁷ As one of examples, in order to effectively implement functions related to identifying asylum seekers and transferring asylum applications, border guard and police staff require not only knowledge on international refugee law and human rights, but also interviewing skills, including skills to interview traumatized persons.

international refugee law and human rights, refugee definition, inclusion, focus on principle of *non-refoulement*, exclusion, interviewing techniques, interviewing children and traumatized persons.

There is a need for continuous training for *prosecutors and judges*, in addition to international law and human rights, with more focus on refugee definition, exclusion, *non-refoulement*, analyzing country of origin information, analyzing asylum claim (subjective and objective factors, standard of proof).

7.2. EAC Modules of relevance and interest for asylum authorities

Asylum authorities, which are interested in introducing systematic national training program, require largest scope of the EAC materials included in particular thematic Modules¹¹⁸.

In the course of the study, representatives of government asylum authorities, UNHCR Representations and partners were asked to give their opinion with regard to which Modules should be prioritized for introduction¹¹⁹.

The interviewed representatives of asylum authorities recognized that Module 1 “International refugee law and Human Rights”¹²⁰ and Module 3 “Inclusion” are very important, its contents are relevant, asylum staff need to demonstrate strong understanding of these issues. However, they emphasized that their staff was trained on the above issues, and as a matter of priority, working specialists need to develop practical knowledge and skills in the areas of analyzing Country of Origin Information (Module 5), interviewing skills (Module 6), evidence assessment (Module 7) and drafting and decision making (Module 8). Asylum authorities also considered very important for their staff to develop skills on interviewing children and traumatized persons.

In the opinion and priority rating by asylum authorities, UNHCR and its partner organizations, the following Modules should be prioritized for introduction in the sub-region¹²¹:

Module 1 “International Refugee Law and Human Rights”¹²²,

Module 3 “Inclusion”,

Module 5 “Country of Origin Information”,

Module 6 “Interviewing techniques”,

Module 7 “Evidence Assessment”,

Module 8 “Drafting and Decision Making”.

Amongst the Modules, which were prioritized for introduction at earlier stages, authorities and UNHCR Representations were then requested to prioritize one or two Modules as “*top priority*” for introduction, as a result the priority ranking looked as follows:

1. **Module 3 “Inclusion”¹²³**: preferred for introduction as a “top priority” by asylum authorities, UNHCR and NGO partners in the Republic of Moldova and Ukraine;
2. **Module 6 “Interviewing techniques”¹²⁴**: asylum authorities in the Republic of Belarus, the Republic of Moldova and Ukraine believe it must be “top priority” for introduction, this view is supported by UNHCR in the Republic of Belarus and some partners in the sub-region;

¹¹⁸ Authorities will need to familiarize themselves with the detailed contents in order to decide which materials should be used for creating national training program. Those more familiar with the structure and content of the EAC saw the advantages of using the existing EAC structure and methodology.

¹¹⁹ It should be noted that in few instances the opinion on which Modules should be introduced as a priority, was not totally in line with the assessment, in which thematic areas asylum officers require immediate improvement.

¹²⁰ Within prioritization authorities recognized that thorough assessment of training needs is necessary, e.g. to understand number of new staff in need of training, and if there is bigger number of new staff to be trained – then there is a need to start from Module 1.

¹²¹ Opinion of asylum authorities and UNHCR are visually illustrated by the table in Annex 6.

¹²² The general trend in the opinion is following: Module 1 should be in principle prioritized, but not necessarily as one of first priorities and not necessarily for all staff. Only Ukrainian asylum authorities believe it should be introduced as one of the top priorities.

¹²³ Asylum authorities, UNHCR and its partners in the Republic of Belarus believe it should be one of the priorities for introduction, but not listed as a “top priority”.

3. **Module 7 “Evidence Assessment”**¹²⁵: recommended for “top priority” introduction by asylum authorities in the Republic of Belarus, as well as by UNHCR in all three countries;
4. Asylum authorities *in the Republic of Belarus* also considered as top priorities for introduction **Module 5 (“Country of Origin Information”)** and **Module 8 (“Drafting and Decision Making”)**; the latter Module was also listed for “top priority” introduction by UNHCR in the Republic of Moldova¹²⁶.

Advanced Modules 6:1 “Interviewing children” and 6:2 “Interviewing traumatized persons” were prioritized by authorities of all three countries for introduction at earlier stages¹²⁷, which was also supported by few partner organizations and UNHCR Representations in the Republic of Belarus and the Republic of Moldova.

Advanced Module 3:1 “Exclusion” was prioritized for introduction by asylum authorities in the Republic of Moldova, while authorities in the Republic of Belarus and Ukraine considered it should be introduced at later stages. UNHCR offices had different view and considered it should be prioritized for implementation rather at earlier stages.

Advanced Modules 3:2 4:1 “End of Protection” are considered for introducing at earlier stages by both asylum authorities and UNHCR in the Republic of Moldova. Asylum authorities in the Republic of Belarus and Ukraine and UNHCR in these countries consider this Module should be introduced at later stages.

The Expert noted interest of asylum authorities to familiarize themselves with European asylum legislation and practice¹²⁸, in particular their interest to include into training program for studying *at later stages* **Module 2 “Introduction to EU Asylum Law and Policy”, Module 4 “Asylum Procedure Directive” and Module 2:1 “Dublin Regulation”**. At the same time, further assessment of the applicability of these Modules would be recommended after better familiarization with its detailed contents.

The EAC has a well-structured learning path and normally it is recommended to study Modules in the established consequence. At the same time, the needs articulated by asylum authorities, the varying level of knowledge and experience and thus varying training needs of asylum officers must be considered when prioritizing Modules for introduction. The authorities may also apply different strategies for newly recruited staff and for long-working officers. In particular, the newly recruited staff could start with Modules 1, 3 and then proceed to Modules 5,6,7,8; for more experienced staff who regularly attended trainings in the past, authorities may decide to prioritize practical Modules 5, 6, 7, 8. Such decisions by authorities should be incorporated into general strategy on transposing EAC and establishing training program on asylum (10).

7.3. Relevance and interest for other audiences: law-enforcement authorities, border guards, prosecutors, judges

Most interviewed had common opinion on the need for border guard and police officers field staff, as well as for judges and prosecutors to study contents of **Modules 1, 3, 5, 6** including: international refugee law and human rights, refugee definition, inclusion, exclusion, *non-refoulement*, as well as interviewing techniques and country of origin information. It is also admitted that only very limited

¹²⁴ UNHCR in the Republic of Moldova and Ukraine believe it should be one of the priorities for introduction, but not listed it as a “top priority”.

¹²⁵ Asylum authorities in the Republic of Moldova and Ukraine believe it should be one of the priorities for introduction, but not listed it as a “top priority”.

¹²⁶ Asylum authorities in the Republic of Moldova and Ukraine and UNHCR recognize it is one of the priorities for introduction, but not listed it as a “top priority” (UNHCR in the Republic of Moldova considered Module 8 as “top priority”. UNHCR in the Republic of Moldova has access to RSD procedures and to case files therefore the opinion is based on analysis of case files).

¹²⁷ Head of BMA in the Republic of Moldova considered it “top priority” for introduction.

¹²⁸ Director of BMA in the Republic of Moldova considered Modules 4 and 2:1 must be introduced as a priority at earliest stages in order to better familiarize with European asylum practice.

number of representatives of these target audiences may benefit in future from the established training program based on EAC.

To ensure that wider scope of participants from this target group is covered and trained on the above issues, it may be recommended that as soon as national trainers are certified on EAC, they would use a limited scope of materials from the above *Modules 1, 3, 5, 6* and apply more “usual” training methodology similar to what is applied at the moment, e.g. they could continue trainings in form of seminars, lectures etc. Certified national trainers could also assist with selecting and incorporating some materials of the above Modules into refugee law courses.

In the Republic of Moldova and Ukraine, UNHCR and NGO underlined the need for prosecutors and judges to study issues covered by Module 3 on inclusion (in particular, exclusion and *non-refoulement*) and the need for judges¹²⁹ to additionally study *Modules 5, 7 and 8* at a stage when the EAC is introduced for asylum authorities and the asylum training system would be functioning.

7.4. Note on modification and tailoring contents of EAC Modules

The need to modify and tailor the EAC contents in order to include domestic legislation and national specific contents was mentioned by interviewed authorities, representatives of Academies and Universities, and some interviewed agencies.

As advised by the EAC Management Team, there is no experience within EU on using EAC materials for creating country-specific curricula tailored to national specific requirements and needs, as it would “contradict to the purpose of EAC since one of the project objectives is to contribute to harmonisation. However, there is room in the face-to face session to add elements of a more national character, cases, specific legislation etc.”

At the same time, the concept of EAC includes the following: “The main objective is to provide the European countries with a “tool-box” that allows them to “pick and choose” from the modules in the curriculum based on their particular training needs. Each country may thus use the modules in EAC as a foundation for their own training in accordance with their specific needs.”

Modality of including national specific contents may be discussed in more details at the stage of developing action plan. Including such content into face-to face session would be in line with the idea of pilot introduction in one country within the sub-region as a first stage of transposing EAC: national specifics would be included into concluding sessions rather than into regular contents. Further negotiations and searching for appropriate modalities will be required when designing and further elaborating implementation strategy for the national training program.

8. Legal and administrative procedures that need to be followed in order to integrate training curricula in the Republic of Belarus, the Republic of Moldova and Ukraine

While the higher education systems in the Republic of Belarus, the Republic of Moldova and Ukraine underwent through number of significant changes and reforms¹³⁰, there are similarities in the procedures and requirements for establishing new curricula in these three countries. Establishment of obligatory Curricula at Universities must be decided by University Rectorate, its contents and introduction must be coordinated with and finally approved by the Ministry of Education. While in the Republic of Belarus and the Republic of Moldova the interviewed Universities academicians believed the process of obtaining approval from the Ministry of Education is less problematic, the interviewed academician in Ukraine expressed their concern that introduction of specific asylum curriculum at Universities may be very challenging and requires a lot of lobbying with the Ministry of Education¹³¹.

¹²⁹ In particular, the judges of Administrative court were mentioned.

¹³⁰ Republic of Moldova and Ukraine joined the Bologna Process and are in the process of implementing its regulations, the Republic of Belarus plans to accede to the Bologna Process.

¹³¹ Absence of “political will”, issue of corruption, lack of interest to migration and asylum issues were pointed out as main obstacles.

Curricula at Universities and Academies can only be introduced **in official state language**: Russian in the Republic of Belarus¹³², Moldovan or Romanian¹³³ in the Republic of Moldova and Ukrainian in Ukraine.

8.1. Introduction of new curricula and training courses at Universities, Border Guard and law-enforcement Academies

Procedures for establishing Curricula in the Republic of Belarus, the Republic of Moldova and Ukraine are quite similar as partially they were inherited from the common educational system and common procedural standards and rules, which existed in the Soviet past.

1. Introduction of obligatory courses at Universities must be decided by Rectorate/University Administration, and must be approved by the Ministry of Education. Curriculum is developed by a Faculty; its contents then must be approved by Rectorate and then approved by the Ministry of Education.
2. Introduction of a new regular curriculum in form of “obligatory course” at Border Guard and law-enforcement Academies must be decided upon by respective authorities¹³⁴ at central level and approved by the Ministry of Education.

General procedure for introduction of a new obligatory course includes number of consecutive steps and requires negotiations and agreement between authorities and Ministry of Education¹³⁵.

Step 1: Respective law-enforcement authority at centralized level (e.g. Central Border Guard Administration, Ministry of Interior etc.) issues the decision on introducing the course at a particular Academy supervised by this authority¹³⁶.

Introduction of the new course is usually linked to the set of professional qualifications and skills¹³⁷ required for a particular area of expertise (“specialty”¹³⁸) to graduate from a certain Faculty¹³⁹. If the “specialty” with the relevant description of required qualifications exists – there may be a need to modify the description in order to link the new course with the set of professional requirements and training needs¹⁴⁰.

Step 2: An Academy prepares the detailed content of curriculum. Content is prepared based on the approved set of required knowledge and skills. Scope of thematic issues must meet the requirements to develop professional knowledge in specific area(s). Seminars and practical studies aim on developing specific professional skills. Preparation of contents is usually done in consultations and agreement with the central level authority.

¹³² Republic of Belarus has two official languages – Belarusian and Russian.

¹³³ The language spoken in the Republic of Moldova is identical to Romanian, but for political reasons both names Moldovan and Romanian are used inside the country.

¹³⁴ Decision is taken by respective authorities (e.g. Border Guard Central Authority or Ministry of Internal Affairs) that require staff to be trained on the particular thematic areas covered by new curriculum.

¹³⁵ With the exception of Police Academy in the Republic of Moldova: according to its teacher, the decision by the Rectorate of Police Academy is sufficient and does not require further agreement with and approval by the Ministry of Education.

¹³⁶ Border Guard and Police Academies are supervised by the respective authorities, unlike Universities, which are supervised directly by the Ministry of Education.

¹³⁷ For example, in Ukraine there is called “educational qualification characteristics” which includes description of the required knowledge and skills. Such set is normally developed by the department requesting this specific education/training. In the example of Ukrainian MOI, this set is approved by Ministry of Interior and Ministry of Education.

¹³⁸ “specialization”.

¹³⁹ In the past any courses, including courses at Universities, were established based on the planned number of required specialists – so-called “state order”, which was formed by the departmental ministries, respective authorities (e.g. law-enforcement authorities) and planning organizations.

¹⁴⁰ In Ukraine MOI Academy, new training course can only be introduced for a particular “specialty”. Creation of a new “specialty” is a more demanding and complicated process, but will not be looked into for the purpose of this study.

Step 3: Content of the new curriculum is examined and approved by the central authority (e.g. Border Guard Administration, Ministry of Internal Affairs etc.)¹⁴¹.

For example, at the Ministry of Interior in Ukraine, there is a Department on Education and Science, which would be approving the new training plan and a curriculum.

Step 4: In most cases (including Academy of the Ministry of Internal Affairs in the Republic of Belarus, Border Guard Academies) content of the new curriculum must be registered and approved by the Ministry of Education¹⁴².

8.2. Introducing an optional course and modifying an existing course

In all three countries the Expert observed more flexibility when it comes to modifying the existing course (e.g. including certain number of hours dedicated to asylum issues into the existing course) or introducing an “optional” course.

While the decision on introducing an optional course at Border Guard and Police Academies still needs to be taken by a respective central authority, there is more flexibility with regard to approval by Ministry of Education (in some cases approval by Ministry of Education is not required).

8.3. Introducing re-training Curricula at the MIA Academy in the Republic of Belarus

The Expert particularly focused on the procedure for introducing re-training curricula at the International Training Center of the Academy of the Ministry of Internal Affairs of the Republic of Belarus.

- Decision on introducing re-training curricula must be issued by the “beneficiaries” of re-training, i.e. by the interested authorities who request to train their specialists (e.g. MIA).
- Contents of the course must be approved by the Management of the Academy, agreed and approved by the Ministry of Internal Affairs.
- In case there is a need for issuing Certificate of international standard at the end of the re-training course, official registration and approval by Ministry of Education should be obtained.
- It was noted that if official certification is not required, the procedure for approving contents of the new specialized courses within ITC can be more flexible, and decision can be taken at the level of Academy.

8.4. Ukraine: Introducing Curricula on the basis the SCNR

The State Committee for Nationalities and Religions advised that there are no special legal requirements for introducing training course on the basis of the SCNR and it can be done in line with existing instructions. Such training course can be introduced based on internal instruction.

9. Good practices on integrating new curricula in the sub-region and lessons that can be used for transposition of European Asylum Curriculum

9.1. Good practices on integrating curricula into institutionalized training programs in the sub-region

In the Republic of Belarus, the Republic of Moldova and Ukraine, there were several practices of introducing new curricula and integrating them into national training programs at Border Guard Academies, Academy of Ministry of Internal Affairs and University, for cadets and officers at border guard and police authorities, and for law students. IOM Missions in all three countries in the sub-region, which initiated and managed these projects, briefed the Expert about their experience and strategies that were used to introduce new curricula and integrate them into national training systems. The good practices of integrating new curricula included the following.

¹⁴¹ Number of academic hours envisaged for the course is decided upon and proposed by Academy, in line with its current training plan, however the final approval is also given by the central authority.

¹⁴² The Expert was informally assured that whenever there is a decision of the central authority on introducing a curriculum at their Academy department, approval by Ministry of Education is obtained fairly smooth.

1. IOM in the Republic of Belarus:

- 1) Facilitated introduction of re-training course on “Combating Human Trafficking” on the basis of the International Training Center of the Academy of the Ministry of Internal Affairs of the Republic of Belarus, targeting border guard and law-enforcement officers;
- 2) Facilitated integrating curricula on Combating Human Trafficking into training program of the Law Faculty at the Gomel State University.

2. IOM in the Republic of the Republic of Moldova:

Border Guard Service in the Republic of Moldova in co-operation with the EUBAM, has been working on developing common standards in border guard training in compliance with the Common Core Curriculum for border guard training, which was approved in April 2008 by FRONTEX. The Border Guard Service developed a new curriculum for introduction at Border Guard College in Ungheni based on the FRONTEX Common Core Curriculum for border guard training. At the moment the new curriculum needs to be agreed and approved in order to commence its introduction.

The specific strategy for implementing new border guard curriculum included number of consecutive measures and steps in co-operation with EUBAM and in the framework of its projects:

- The Border Guard State Service of the Republic of Moldova was familiarized with the FRONTEX Common Core Curriculum for border guard training. As a result of familiarization, in view of the existing needs to improve standards and achieve EU compliance, as well as the need to improve standards of national training system for border guards, the Border Guards State Service expressed interest in introducing the curriculum.
- Curriculum was translated into Romanian.
- A conference devoted to the introduction of the Curriculum was organized.
- Contents of the core curriculum were adjusted to national practices.
- Co-ordination between FRONTEX/EUBAM and Ministry of Education was reinforced within the framework of strengthening of international cooperation.
- The Course will have to be approved by the Ministry of Education.
- The Border Guards State Service of the Republic of Moldova plans to introduce the course as a new program.

3. IOM in Ukraine:

- 1) Facilitated introduction of a special course based on parts of EU Core Curriculum for Border Guards into the training program at Border Guard Training Center in Cherkasy - under HUREMAS project;
- 2) Facilitated introduction of 3 months short-term course on Border Management for warrant officers at the State Border Guard Service Academy;
- 3) Facilitated integration of Border Management course into training program for bachelors.

In addition, English language courses were integrated at State Border Guard Service Academy – implemented under HUREMAS project.

Specific strategy, in particular, included:

- Continuous advocacy efforts with the State Border Guards Service Administration.
- Linking State Border Guards Service of Ukraine with EU Border Guard Services.
- Advocacy included a specialist, who was seconded from Poland border authorities and was working for 3 years at the State Border Guard Service.
- Working with human resources departments, including Career Development Department and Personnel Training Department at the State Border Guards Service Administration.

- SBGS Administration issued special instructions and orders on introducing courses.
- Established working group: the SBGS Administration wrote a specific instruction and order on creation of working group.
- Involving international experts for trainings, presentations of courses by international experts.
- Taking into account national specifics when introducing curricula.

9.2. Lessons learnt and general strategies used to integrate curricula in the sub-region

It was noted that all IOM projects involved ***strong long-term advocacy efforts*** that was necessary to ensure political will and to achieve stable results. All projects required ***significant financial investments***; implementation of projects could not be funded from the state budget and was ***funded by donors***.

Institutionalization is very difficult and generally very slow, sustainability of some projects remains an open question, some projects are partially continued to be funded by donors, not by the state.

In three countries IOM stressed that the following preconditions are necessary in order to achieve successful and effective introduction of a curriculum:

- Interest and efforts of relevant authorities towards improving their standards of work in order to achieve compliance with EU standards;
- Existence of strong political will to introduce new curricula at higher management level of central authorities supervising the relevant educational entity.

The following general issues were noted as for the lessons learnt, strategies and ensuring successful implementation:

- In order to achieve good results, continuing strong lobbying efforts at higher management level of governmental authorities are necessary. Lobbying efforts can be in line with the state efforts towards integration into EU.
- The instant needs for education in particular area should be recognized as a “Priority” by higher management levels of governmental authorities.
- It is necessary to solicit and achieve continuous support at middle and higher management level from the authorities, who are “customers” and “beneficiaries” of the training, i.e. who are interested to train specialists in particular field.
- There is a need for instructions in forms of **directives** coming from the top management¹⁴³.
- Networking with respective EU authorities working in the same professional field, learning similar European practices, linking to European standards is extremely important and has positive impact. Using Study visits for exchanging experience was much appreciated.
- Continuous capacity-building (including language trainings funded under projects etc.) is crucial and is a key to successful project implementation.
- Using international, EU expertise is very important and has good impact: linking with international experts, involving them for training, into work on projects, using their assistance and advice is very useful for implementation and was very appreciated by governmental authorities.
- It is important that government authorities design strategy and agenda for implementation.
- It is advisable to create a legal basis for implementation – it constitutes important part in building sustainability. Having a legal basis is not always possible, but set of existing instructions and directives can form a “legal”-like basis.

¹⁴³ Strong respect to hierarchical structure within law-enforcement authorities, border guards, police and security services determines the need for an instruction in a form of directive coming from the top level. Such instruction ensures effective implementation of any initiative.

- Maintaining effective links at higher and middle management working level, establishing good personal relations is extremely important.
- Contents of training program must be adapted to the needs of different target groups.
- It is necessary to consider that state funding is not flexible, therefore it is more rational to target that state provides available resources, which can be used, e.g. premises, human resources, equipment; and better to avoid building new infrastructures dependant on state funding.
- In addition, it was noted that **in Ukraine**, getting approval from the Ministry of Education is complicated and may be a great obstacle.

It must be noted that similar considerations for strategies were articulated by other international agencies, including UNHCR, ICMPD and DRC.

10. Overall recommendations

In the course of the Study, representatives of governmental asylum, law-enforcement, and border authorities stressed their continuous efforts to adhere to EU Standards in their asylum procedures and bring asylum practices in compliance with the practices applied by EU Member States. In the Republic of Moldova and Ukraine it was particularly noted as a necessary part of efforts towards European integration, in line with the Agreement on the Republic of Moldova's associated EU membership, which is under negotiations¹⁴⁴, and the EU-Ukraine Association Plan and the Agenda to prepare and facilitate the implementation of the Association Agreement.

The Authorities recognize that establishment of locally institutionalized training program on asylum through transposing EAC will strengthen asylum institutions and facilitate harmonization with EU asylum practices, and must be implemented as part of their EU integration efforts. It is therefore anticipated that there is a political will amongst asylum authorities to establish such national training program.

In order to commence implementation of this initiative, it is recommended that interested governmental authorities in the sub-region as a first step would issue official decisions and instructions on establishing training program on asylum through transposing European Asylum Curriculum. It is also recommended to assign focal points at each governmental agency responsible for implementation of this initiative and to create an inter-agency task force, a working group on implementation¹⁴⁵. Authorities interested in transposing EAC may also consider and negotiate creation of an **inter-governmental working group**, which would have coordinating role and ensure implementation of this initiative in the sub-region. This working group may also include academicians, representatives of Border Guard Academies and Academies of Ministries of Internal Affairs specializing on refugee law, international experts, UNHCR.

The created inter-governmental working group can use roundtable or workshop as a form for initial forum, discussions and negotiations. The working group jointly with the Swedish Migration Board may also decide if there is a need for an agency that would play coordinating role in this initiative and which particular agency could play such role¹⁴⁶.

The inter-governmental working group would need then to develop **implementation strategy**¹⁴⁷ and an action plan for transposing EAC. When designing implementation strategy, working group may want to consider results and findings of this Study on the feasibility of EAC transposing in different countries, existence of necessary infrastructure, language requirements and need for translation, availability of

¹⁴⁴ It was planned to negotiate Moldova-EU Association agreement in Chisinau in June 2010.

¹⁴⁵ This can be reinforced by including these points into the initial instruction or issuing a separate instruction on assigning focal points and creation of working group – in line with the policies applied by different governmental authorities.

¹⁴⁶ In view of the Expert, such coordinating role could be played by Soderkoping Process Secretariat given its involvement into initial introduction of EAC to authorities and its expertise in coordinating inter-governmental activities. In case Soderkoping Process can not assume this role, the decision which other agency could play this role must be taken by governmental authorities jointly with Swedish Migration Board and international agencies, i.e. UNHCR and IOM. Such recommendation is outside of the competencies of this Study.

¹⁴⁷ If a Training strategy had existed at this point – it would be linked to a comprehensive training strategy. As it was noted in Chapter 3, a training strategy on asylum does not exist in the region.

training facilities, need for EAC-certified national trainers, and prospects for institutionalization. These issues will require continuous efforts and systematic follow-up by the working group.

In particular, at the very first stage authorities will need to **identify resources**, which are necessary to address the existing gaps in order to start implementation, for example, costs related to translation of EAC Materials, costs related to technical infrastructure in the Republic of Belarus¹⁴⁸, and costs related to training and certification of national trainers. If there is no state budget funding to cover these costs, then there is a need to look into existing possibilities for external funding¹⁴⁹. As a result, there may be an **initiative from the side of governmental authorities**, implemented by the inter-governmental working group, to **search for available donor funding**¹⁵⁰ to cover required starting costs. In their advocacy with donors, authorities will specify that the major burden of resources (premises, human resources etc.) and further running costs will be covered from the state budget; initial funding is required to start implementation, to facilitate establishment of institutionalized training program. Soliciting initial external funding from donors, e.g. EU Member States, may be even more successful if done at higher levels – at the level of Ministers of External Affairs, Ministers of Internal Affairs, Heads of State Border Guard Services. The interested authorities may need to put advocating efforts to ensure support at highest level; work with officials responsible for EU integration to include EAC transposition and related funds into agenda for discussions with EU Member States.

It is anticipated that the EU donor countries will be receptive to this initiative, and the funding necessary to start the EAC transposition can be found in the framework of the EU Mobility Partnership and EU integration projects.

When the resource issue is addressed, as one of the initial steps towards transposing EAC, the working group needs to **identify English-speaking national trainers for EAC certification**¹⁵¹ on train-the-trainer basis. There may be a need for a decision in which formal way a commitment can be obtained from a national trainer on further involvement into EAC training and other training activities. An EAC-certified national trainer will become a qualified training resource, who will be not only act as national EAC trainer, but will be also expected to assist in amending existing refugee law and asylum courses at Universities and Academies and provide expertise for other training activities. Building national asylum and refugee law trainers' capacities through EAC certification on train-the-trainer basis can be seen as an additional valuable benefit from transposing EAC.

There is a need for comprehensive approach to designing the strategy, which should include various elements. For example, as part of the implementation strategy and action plan, familiarization with European practices of EAC introduction and studying how transposing EAC practically worked in other EU Member States can be recommended at some initial stages.

As for the EAC introduction in each of the countries, phase approach can be one of the possible strategies: authorities may discuss possibility of **pilot introduction** in one country, which already has available training infrastructure, i.e. based on the International Training Center of the Academy of Ministry of Internal Affairs of the Republic of Belarus. Some asylum officers from Ukraine at first phase could be trained on that basis¹⁵² as well. In this scenario, the issue of technical infrastructure in the Republic of Belarus (6.1 refers) must be addressed on a priority basis. Eventually, transposing EAC would extend to Ukraine and the Republic of Moldova – as soon as there are available and appropriate training infrastructures.

In other scenario, it may also be decided in favor of parallel introduction in Ukraine, based on the State Committee for Nationalities and Religions. As noted in Chapter 6.3, there are serious concerns about sustainability and prospects of running such training program based only on the existing capacities. The

¹⁴⁸ In case there will be no alternative solution (stand-alone computer with open Internet), which would not require additional funding.

¹⁴⁹ It was commonly recognized by various interviewed agencies, that there will be a need for allocating additional funding, which is not possible to do within state budgets in the sub-region.

¹⁵⁰ EU-funded projects supporting training activities could be considered as one of the options.

¹⁵¹ Authorities may consider including English-speaking teachers from Universities into the pool of national EAC trainers, this would facilitate improvements of existing asylum and refugee courses at Academies, 6.6 refers.

¹⁵² Subject to negotiations between authorities of the Republic of Belarus and Ukrainian. Subject to availability of state funds to cover costs related to travel and accommodation of Ukrainian asylum specialists.

authorities therefore will need to find a solution for increasing capacity, in order to ensure efficiency of the training program, to adequately address existing training needs of asylum specialists, and to be able to include specialists from other agencies into this program in future.

Asylum authorities of the Republic of Moldova require EAC introduction in Romanian language (6.2 refers). They may consider direct link with Romanian asylum authorities on EAC translation and introduction. As another option, there is a need to identify a separate modality for transposing EAC in the Republic of Moldova, e.g. on the basis of the Bureau for Migration and Asylum, similar to the model suggested by the SCNR. Sustainability of this solution can not be ensured until there is stable state funding of the existing infrastructure. In addition, there are concerns about the existing human resource capacity of the BMA to accommodate this scenario.

In the scenario of pilot introduction and in other scenarios, working group will need to include into the strategy how national specific contents could be integrated into the training program on asylum (e.g. included into face-to-face training sessions). Working group must have discussions and search for most appropriate solutions of including national specific contents.

The authorities in all three countries see strong **role of international agencies**, international experts, in particular, UNHCR Representations and its Experts: they believe that such involvement will ensure successful implementation of the initiative. While the extent of UNHCR involvement will be decided by the respective UNHCR Representation¹⁵³, its role, most probably, will be limited to promotion of knowledge on refugee law and refugee protection in form of providing expert support and advice when it comes to selecting and prioritizing EAC Modules for introduction.

All interviewed agencies agreed that the introduction of asylum curriculum is not likely to replace, rather should have a complementary role to other forms of trainings implemented in the sub-region, such as training seminars, workshops, round-tables, lectures to field staff and others. It would be advisable for governmental asylum authorities to apply a comprehensive approach to training activities in the area of asylum and refugee protection, and as a part of such approach to conduct a thorough training needs assessment and to develop a clear training strategy.

Ideally, the **comprehensive training strategy for asylum authorities** in each country should be developed as soon as possible, to be available at initial stages of transposing EAC. Such training strategy, amongst other elements, would include components related to EAC transposition:

- 1) Thorough training needs assessment.
- 2) Following training needs assessment and based on its result:
 - a. determining exact number of asylum staff to be trained on EAC;
 - b. selecting asylum staff that should be prioritized for inclusion into EAC program;
 - c. selecting EAC Module(s) that should be implemented as priority. This in turn may include different strategies for asylum officers who have different levels of expertise, prioritizing different EAC Modules for newly recruited, less proficient and for “advanced” staff. For example, based on the very rough and surface needs assessment within this Study, the conclusion is that more experience asylum officers prefer to concentrate on the Module 3 and Modules that develop practical skills (Modules 5, 6, 7, 8)¹⁵⁴. While it is believed that newly recruited staff may need to start with Module 1.
- 3) Modality of EAC: compulsory¹⁵⁵ (as part of compulsory re-training) or voluntary:
 - a. May be different approaches to newly recruited and experienced staff.

¹⁵³ UNHCR Representations in the Republic of Belarus and the Republic of Moldova anticipate their strong role in supporting EAC transposition by providing expert support and advice, UNHCR in the Republic of Moldova anticipated its supervisory role in the implementation process, including the need for systematic follow-up.

¹⁵⁴ 7.1 refers.

¹⁵⁵ Authorities may consider different ways to regularize systematic training within legislative instruments, which would improve implementation of the national training program, but it may take prolonged time.

- 4) How impact of training can be evaluated, including impact of completing one or more EAC Modules.
- 5) Motivation of staff for self-learning and professional self-development, and how it can be addressed.

Without training needs assessment, the above issues will need to be discussed and resolved as part of implementation strategy on establishing asylum training program through transposing EAC. This strategy may also suggest how other categories can be included into asylum training program, e.g. border guards, judges, prosecutors, police officers, how other interested agencies may be informed about EAC (e.g. courts) and other elements.

Strong interest of governmental authorities to introduce locally institutionalized training program on asylum through transposing EAC is an additional important indicator of their willingness to bring asylum practices in the sub-region in compliance with European standards. Such training program would ensure effective access to international experience and knowledge, contribute to building positive image of the governmental authorities, and would be an essential part of their continuous efforts towards European integration.

It is recommended that supporting this positive initiative through providing required initial funding is considered by the EU Member States in the spirit of international cooperation and partnership, and as a part of capacity-building efforts towards strengthening asylum systems in the sub-region.

As stated within the EAC concept and objectives,

“Although the European countries are the primary focus for EAC, the Curriculum will also be a useful tool for candidate countries. A final EAC will provide candidate countries with an applicable instrument to update and adjust their asylum procedure to attain the required European standard. The Curriculum will furthermore offer a useful tool for the European capacity building support to “third countries” in the field of migration and asylum. The cost efficiency of such a comprehensive use of EU funding and resources will therefore be significant.”¹⁵⁶

¹⁵⁶ European Asylum Curriculum brochure available at <http://www.asylum-curriculum.eu/>.

**List of training events (total 203) on asylum carried out by UNHCR, ECRE, ICMPD, DRC and other agencies
for governmental authorities in the Republic of Belarus, the Republic of Moldova and Ukraine in 2006- 1st half 2010 and planned for 2nd half 2010¹⁵⁷**

Country of targeted participants	No.	Agency delivering or organizing training	Dates and duration	Subject of training and issues covered	Agencies trained
Republic of Belarus					
Belarus	1.	UNHCR/TACIS	May 2006, 2 days	COI	
Belarus	2.	UNHCR/Institute for retraining for judges, prosecutors office staff, court and Ministry of Justice	June 2006	Seminar	Judges and prosecutor office staff
Belarus	3.	UNHCR/SCBT	June 2006, 1 day	Development of instruction	BG, heads of border detachments
Belarus	4.	UNHCR/CBCP	September 2006, 2 days	Regional Meeting	Managers of Receptions Facilities for Asylum Seekers
Belarus	5.	UNHCR/IT, PK	September 2006, 1 day	Lecture	MoI Academy
Belarus	6.	UNHCR/ACIS/ELENA	October 2006, 3 days	Study visit to Lithuania, Reception facilities	
Belarus	7.	UNHCR HQ	October 2006, 5 days	EXCOM	MoI, BG, NGO: Evolutio, BMMW
Belarus	8.	UNHCR	December 2006, 3 days	Training for managers of Reception Centers	BG, MoI, NGO
Belarus	9.	UNHCR/ECRE	March 2007, 3 days	Mixed migration flows and international protection for refugees	BG, DCM, IOM, NGOs
Belarus	10.	UNHCR	April- December 2007	Border visits	
Belarus	11.	UNHCR/Slovak NGO	April-May 2007	Study visit on border monitoring, Slovakia	NGO, BG, UNHCR
Belarus	12.	UNHCR/MoI Academy	April 2007, 2 days	Refugee Law Competition	MoI Academies Belarus, Ukraine, Moldova, Russia

¹⁵⁷ Based on the information shared by the agencies (UNHCR, ICMPD, DRC, ECRE, HIAS) with the Expert.

Belarus	13.	UNHCR	Second half 2007	Study visit to Poland/Latvia	
Belarus	14.	UNHCR/ Institute for retraining for judges, prosecutors office staff, court, Ministry of Justice	June 2007	Seminar	Judges and prosecutor office staff
Belarus	15.	UNHCR, SCBT, IOM, MoI	August 2007	Seminar on curricula development and development of training materials	SCBT, MoI
Belarus	16.	UNHCR	September 2007, 4 days	Refugee Protection and Human Rights	
Belarus	17.	UNHCR	Second half 2007	Study visit to Austria	
Belarus	18.	UNHCR	October 2007	Seminar for BG/Gov and NGO on border monitoring	
Belarus	19.	UNHCR, TOT lecturers, SMB	November/December 2007	Training on international protection	MOI/BG students
Belarus	20.	UNHCR	November 2007	Pilot seminars on refugee law from 3 educational institutions	
Belarus	21.	UNHCR/Odysseus network	Second half of 2007	European and international standards in the field of asylum and migration	MOI, BG, civil educational institutions
Belarus	22.	UNHCR	January 2008, 1 day	Teaching asylum/refugee law and thematic on nexus between asylum and migration at educational institutions	Academics
Belarus	23.	UNHCR	May 2008, 1 day	Implementation and improvement of national legislation in the area of forced and labour migration	DCM
Belarus	24.	UNHCR	July 2008, 1 day	Study visit to Poland on RSD, Reception, Detention	DCM, SBC
Belarus	25.	UNHCR	September 2008, 1 day	Seminar for Judges in Poland	Judges from Court of Central district of Minsk
Belarus	26.	UNHCR	October 2008, 1 day	Asylum and Extradition	Judges and Prosecutors
Belarus	27.	UNHCR	November 2008, 3 days	Seminar of RCS for City Authorities	Local officials of Minsk
Belarus	28.	UNHCR	April 2009	Border Monitoring Training at the field level (15 fertilization sessions)	Operational border officers

Belarus	29.	UNHCR	April 2009	RSD and interviewing techniques	RSD officers from Department of Citizenship and Migration and RSS staff
Belarus	30.	UNHCR	Spring 2009	Training an refugee application system	RSD officers from Department of Citizenship and Migration, DSM, developers
Belarus	31.	UNHCR	May-December 2009	Training on border monitoring issue	Border Guards, NGO staff
Belarus	32.	UNHCR	2009	Advanced training on Border monitoring	Judges
Belarus	33.	ECRE	November 2006, 4 days	Course on International Refugee Law in Russian	Judges, Ministry of Justice, Department on Citizenship and Migration (DCM), SCBT
Belarus	34.	ECRE	July 2007, 2 days	UN Systems and Protecting the Rights of Refugees, Asylum Seekers, IDPs and Stateless Persons	NGOs and state officials
Belarus	35.	ECRE	October 2007, 2 days	International refugee and human rights law; exclusion; the balance between security interests and asylum	NGOs, government agencies
Belarus	36.	ECRE	November 2007, 4 days	Course on International Refugee Law in Russian	NGOs, judges and state officials
Belarus	37.	ECRE/ELENA	February 2008, 3 days	Cessation and Exclusion Clauses, National Security and Non-refoulement - international law, ECtHR and exclusion clauses.	NGOs and officials; judges from the EU and UNHCR Belarus
Belarus	38.	ECRE	November 2008, 4 days	Course on International Refugee Law in Russian	Judges, state officials
Belarus	39.	ECRE	November 2009, 4 days	Course on International Refugee Law in Russian	Judges, state officials
Belarus	40.	CBCP	October 2006, 1 day	Resettlement	Ms. Tumashik, MOI, Deputy minister, MOI, Mr. Zaitsev, Deputy Head, SCBT, Mr. Chirak
Belarus	41.	CBCP	November 2006, 2 days	Prevention of Abuse of Asylum Systems	MoI, BG
Belarus	42.	IIHL	October-November 2006, 5 days	Refugee law	Ms. Strunevskaja, MFA
Belarus	43.	IIHL	April 2007, 5 days	Refugee Law	
Belarus	44.	IIHL	May 2007, 5 days	Refugee Law	
Belarus	45.	IIHL	October 2007, 10 days	Refugee Law	

Republic of Moldova

Moldova	1.	UNHCR	January 2006, 3 days	Humanitarian status (subsidiary protection). Practical aspects of the determination procedure	Refugee Directorate (RD), National Bureau for Migration, Judges, MOI, Border Guards, Parliament, NGO, IOM, SIDA
Moldova	2.	UNHCR	April 2006, 1 day	The judicial practice of enforcement of the national legislation concerning the status of refugees in light of the 1951 UN Convention on Status of Refugees	Judges Courts
Moldova	3.	UNHCR	September 2006, 1 day	Fair and human treatment of asylum seekers and refugees in the Republic of Moldova	Police Officers from various districts of Chisinau Municipality
Moldova	4.	UNHCR-EC/TACIS	November 2006, 5 days	Refugee Law Training (Romania)	Judges, RD, BMA, MP, NGO
Moldova	5.	UNHCR/ECRE	November 2006, 4 days	International Refugee Law (St. Petersburg, RF)	RD, NGO
Moldova	6.	UNHCR	December 2006, 1 day	COI	RD, BMA, NGO
Moldova	7.	UNHCR	December 2006, 1 day	Fair and human treatment of asylum seekers and refugees in the Republic of Moldova	Police Officers, Border Guards, Prosecutors and Judges (district Riscani)
Moldova	8.	UNHCR/ IOM/SIDA	February 2007, 2 days	European Acquis on Asylum	Govt, Parliament, Judge, NGO
Moldova	9.	UNHCR	April 2007, 6 days	COI (Romania)	RD
Moldova	10.	UNHCR	June 2007, 1 day	The fair and human treatment of the asylum seekers and refugees in the Republic of Moldova in the context of European integration	Judges, prosecutors
Moldova	11.	UNHCR	November 2007, 1 day	Fair and Human Treatment of Refugees and Asylum Seekers in Moldova – Round table by LCA, RD and UNHCR	Judges
Moldova	12.	UNHCR	November 2007, 3 days	Refugee Law (Romania)	Judges, PM, MAB/RD, NGO IP, ROM
Moldova	13.	UNHCR/ DIS/DRC	February 2008, 2 days	COI (Ukraine)	Refugee Directorate
Moldova	14.	UNHCR	June 2008, 2 days	New law on asylum	Govt, judges, PM, NGO experts, Romanian Refugee Authority
Moldova	15.	UNHCR	September 2008, 2 days	Judges role in ensuring the quality of asylum decisions (Poland)	Judge
Moldova	16.	UNHCR/ALO	2009	International and national legal framework in the area of refugee protection; inclusion clauses; exclusion clauses; cessation clauses; cancellation of a form of protection; interviewing techniques; credibility assessment; and COI research (4)	Refugee Directorate RSD Unit
Moldova	17.	UNHCR/ALO	2009	RSD training (refugee definition interview techniques, COI) and 5 Case Conferences	Refugee Directorate RSD Unit
Moldova	18.	UNHCR/LCA	Second half of 2009	Access to asylum at the border (12 trainings)	Border guards at 19 border crossing points, border guard regional detachments and border guard posts in the northern and western parts of the country
Moldova	19.		November, December 2009	National and international legislation in the area of asylum and refugee protection (2 trainings)	MAC staff; NGO

		UNHCR/LCA			
Moldova	20.	UNHCR; Metropolitan Court of Budapest; IARLJ; European Commission	October 2009, 2 days	Refugee law (Hungary)	Judges
Moldova	21.	UNHCR	March 2010	National asylum legislation	Judges, Bureau for Migration and Asylum, Border Guard Service.
Moldova	22.	UNHCR	April – May 2010	Asylum legislation and referral mechanism	Border Guard Service
Moldova	23.	UNHCR	February, May 2010	RSD (refugee definition, interview techniques, COI)	Refugee Directorate, BMA
Moldova	24.	UNHCR	2010	Case Conferences	Refugee Directorate, BMA
Moldova	25.	ECRE	November 2006, 5 days	International refugee law	NGOs and state officials, judges
Moldova	26.	ECRE	July 2007, 2 days	UN Systems and Protecting the Rights of Refugees, Asylum Seekers, IDPs and Stateless Persons	NGOs and state officials
Moldova	27.	ECRE	October 2007, 2 days	International refugee and human rights law; exclusion; the balance between security interests and asylum	NGOs, government agencies
Moldova	28.	ECRE	November 2007, 4 days	Refugee Law (St. Petersburg, Russian Federation)	MAB/RD, NGO
Moldova	29.	ECRE	November 2007, 2 days	International and National Standards in the Provision of Access to Asylum Procedures for Refugees	Border guards, NGOs
Moldova	30.	ECRE	November 2008, 4 days	International Refugee Law and IDPs issues (St. Petersburg, RF)	Govt
Moldova	31.	ECRE	November 2009, 4 days	International Refugee Law and IDPs issues (St. Petersburg, RF)	Govt
Moldova	32.	ECRE	Winter 2009	Training on international refugee law and human rights standards	Judiciary
Moldova	33.	IIHL	October – November 2006, 5 days	Refugee Law (Italy)	RD
Moldova	34.	IOM Chisinau	3d/4 th Quarter 2009	Trainings on social/humanitarian assistance including psychological and HIV sessions	Ministry of Interior, Supreme Court of Justice/Superior Council of Magistracy, NGOs
Ukraine					
Ukraine	1.	UNHCR	February 2006	Inclusion (Refugee protection and access to procedures)	SBGS units dealing with aliens
Ukraine	2.	UNHCR/CoE	June 2006, 2 days	International and European standards and the ECHR case-law concerning readmission, detention and expulsion	SBS, MFA, MOI, MOJ, Public Prosecutor, Security Service, SCNM, Ombudsman, NGOs
Ukraine	3.	UNHCR	April 2006	Inclusion, Exclusion, COI	Local Judges

Ukraine	4.	UNHCR	May 2006	International Refugee Law, Inclusion, Exclusion	Local Judges
Ukraine	5.	UNHCR	June 2006	Inclusion (Refugee protection and access to procedures)	SBGS, MOI, Prosecutors from different regions
Ukraine	6.	UNHCR	June 2006, 2 days	Inclusion (Seminar on Readmission, Detention and Deportation)	SBGS, MOI, State Prosecutors, SCNR, MOJ, Ombudsman, NGOs
Ukraine	7.	UNHCR	September 2006, 2 days	RSD - Inclusion, Exclusion, Interview Techniques, COI	SCNR, Regional Migration Services, SBGS, MOI
Ukraine	8.	UNHCR	October 2006, 2 days	RSD - Inclusion, Exclusion, Interview Techniques, COI	SCNR, Regional Migration Services, SBGS, MOI
Ukraine	9.	UNHCR	October 2006, 1 day	EU/Caritas Workshop	
Ukraine	10.	UNHCR	November 2006, 3 days	RSD	Migration Services' specialists, SCNM
Ukraine	11.	UNHCR	December 2006, 1 day	Draft laws: On Refugees and Persons Eligible for Subsidiary and Temporary Protection; On Introduction of Amendments to the Law of Ukraine on Legal Status of Foreigners and Stateless Persons	Parliament, CoM, MFA, MOJ, MOI, SBS, SSU, SCNM, NGOs
Ukraine	12.	UNHCR	December 2006, 2 days	Inclusion, Exclusion, COI	Judges
Ukraine	13.	UNHCR	January 2007, 2 days	Inclusion, Exclusion, COI	Judges from HAC, regions, Prosecutor Office, SCNR
Ukraine	14.	UNHCR	February 2007, 1 day	Inclusion (Refugee protection and access to procedures)	SBGS units dealing with aliens
Ukraine	15.	UNHCR	April 2007	Inclusion, Exclusion, COI (Warsaw)	Judge
Ukraine	16.	UNHCR/HAC	April 2007, 2 days	Inclusion, Exclusion, COI	Judges from HAC, regions, Prosecutor Office, SCNR
Ukraine	17.	UNHCR	April 2007, 1 day	Refugee Protection and UNHCR Role	SBS Academy philologists
Ukraine	18.	UNHCR	April 2007, 2 days	Refugee Protection	Judges, SCNM, Chief Public Prosecutor Office, MOJ and NGO IP
Ukraine	19.	UNHCR	May 2007, 1 day	Refugee Protection and UNHCR Role	SBS Academy philologists
Ukraine	20.	UNHCR	June 2007, 1 day	Refugee Protection and UNHCR Role	MOI Management Academy - Heads of Regiments for Street Patrol from different provinces
Ukraine	21.	UNHCR	June 2007, 1 day	Refugee Protection and UNHCR Role	MOI Management Academy – Deputy Heads of MOI Directorates, focal points on public security from all the provinces

Ukraine	22.	UNHCR	June 2007, 1 day	Protection of Human Rights –Main Purpose of the Global Antiterrorism Strategy	Ombudsman Office
Ukraine	23.	UNHCR	June 2007, 1 day	Refugee Protection	MOI Kyiv City CIR staff, focal points on public security
Ukraine	24.	UNHCR/CoE	October 2007, 2 days	Draft laws of Ukraine: (1) on Refugees, Persons Eligible for Complementary and Temporary Protection; (2) on Introduction of Amendments to the Law of Ukraine on Legal Status of Foreigners and Stateless Persons; and (3) on Free Legal Aid	Ministries, the Parliament staff, NGOs
Ukraine	25.	UNHCR/CoE	November 2007	Inclusion, Exclusion (International Conference on Extradition)	Prosecutors, MOJ from several countries
Ukraine	26.	UNHCR	November 2007, 4 days	International Refugee Law (Romania)	Judges, Migration Service, MOI
Ukraine	27.	UNHCR	February 2008	Inclusion, Exclusion, COI	Judges
Ukraine	28.	UNHCR/DRC	April 2008, 14 days	Inclusion, COI, Manifestly unfounded clause	Regional Migration Service
Ukraine	29.	UNHCR	April 2008, 3 days	Inclusion, Exclusion, COI, Interview Techniques	Regional Migration Service
Ukraine	30.	UNHCR/DRC, SCNR, NGOs	May 2008, 14 days	Inclusion, Exclusion, COI, Interview Techniques	Regional Migration Service
Ukraine	31.	UNHCR/ECRE/CBCP	May 2008, 2 days	Inclusion, Exclusion, COI	Judges
Ukraine	32.	UNHCR/CoE	October 2008, 2 days	Exclusion, International Refugee Law and Human Rights	Prosecutors, MOJ, SCNR, MOI, Security Service
Ukraine	33.	UNHCR	Throughout 2009	Briefings on asylum and international protection	Border Guards, MOI Academies
Ukraine	34.	UNHCR	23-25 March 2009, 3 days; November 2009	Seminar on sexual and gender-based violence (SGBV), Zakarpattia, Odesa	
Ukraine	35.	UNHCR	April 2009, 2 days	Refugee protection	GPO, SCNR, MOI, SBGS, SSU, NGO, UNHCR
Ukraine	36.	UNHCR	May 2009	Cluster meeting on border monitoring	Regional Migration Services
Ukraine	37.	UNHCR	June 2009	Joint UNHCR/CoE seminar on Refugees and Migrants Integration and Social Cohesion v Xenophobia and Racism	
Ukraine	38.	UNHCR	June 2009	Seminar on prevention of detention	Kyiv, Odessa and Zakarpattje Judges
Ukraine	39.	UNHCR	June 2009, 2 days	Refugee protection	SCNR, MOI, SSU, SBGS, HAC, NGO
Ukraine	40.	UNHCR	July 2009	Cross-border monitoring mission (Romania)	SBGS, NGOs

Ukraine	41.	UNHCR	September 2009, 2 days	Refugee protection	SCNR, MOI, SSU, SBGS, NGO
Ukraine	42.	UNHCR	October 2009	Profiling and referral, good practices from neighboring countries	SBGS
Ukraine	43.	UNHCR/ECRE	November 2009	Study visit to the UK and Finland	Government officials, NGOs
Ukraine	44.	UNHCR	April, June and September 2009, 6 days	Coordination, transfer of cases, and access to the territory and procedures	SCNM, RMS, SBGS, MOI, PPO, NGO
Ukraine	45.	UNHCR	May 2009	Refugee protection	Cadets of the MOI University and officers of MOI Academy for Personnel
Ukraine	46.	UNHCR/CBCP	2009	On-job training of TACs on conflict management and age, gender and cultural background	TAC staff
Ukraine	47.	UNHCR	October 2009	Irregular migrants, protection of asylum seekers	HAC, Lugansk, Chernigiv Admin courts, Kyiv District court., MOI, BGs
Ukraine	48.	UNHCR	February 2010	Profiling questionnaire	BG, MOI, SCNR, SBU, URC, ICMPD, IOM, DRC, ECRE
Ukraine	49.	UNHCR	February-Nov. 2010	Training on asylum and refugee protection	BG at the Boryspil airport
Ukraine	50.	UNHCR	2-4 March 2010	Country of origin information and non-refoulement training as well as monitoring of Abkhaz war refugees durable solutions	State Border Guard Service, Kharkiv – Sumy region Border Checkpoints
Ukraine	51.	UNHCR	April 2010	Profiling tools	Govt and NGOs
Ukraine	52.	ECRE	November 2006, 5 days	International refugee law	NGOs and state officials, judges
Ukraine	53.	ECRE	July 2007, 2 days	UN Systems and Protecting the Rights of Refugees, Asylum Seekers, IDPs and Stateless Persons	NGOs and state officials
Ukraine	54.	ECRE/ELENA	September 2007, 3 days	The Law of Refugee Status, Subsidiary Protection and Non-refoulement - international refugee law, EU aquis on subsidiary protection	Judge
Ukraine	55.	ECRE	October 2007, 2 days	International refugee and human rights law; exclusion; the balance between security interests and asylum	NGOs, government agencies
Ukraine	56.	ECRE	November 2007, 4 days	International Refugee Law (RF)	SSU, SBU
Ukraine	57.	ECRE	November 2007, 2 days	International and National Standards in the Provision of Access to Asylum Procedures for Refugees	Border guards, NGOs
Ukraine	58.	ECRE/UNHCR	April 2008	RSD	Judges and migration officials
Ukraine	59.	ECRE/Donetsk Foundation on the Social Protection	October, December 2008, 8 days	International refugee law, domestic legislation, COI and interviewing techniques (8 trainings)	Border guards of Novoazovsk, Ilovaisk, Amvrosievka, Mariupol, Donetsk, Lughansk, Markovka, Biryukovo
Ukraine	60.	ECRE	November 2008, 2 days	Refugee protection -international refugee law, domestic legislation, COI and interviewing	Border guards, police and migration officials

				techniques, protection on borders	
Ukraine	61.	ECRE	November 2008, 4 days	Course on International Refugee Law in Russian	Judges, state officials
Ukraine	62.	ECRE	November 2009, 4 days	Course on International Refugee Law in Russian	Judges, state officials
Ukraine	63.	ECRE	2009	2 joint trips to Western Europe on best practices on refugee protection	NGOs, journalists, state officials
Ukraine	64.	DRC	June 2007 - February 2009	COI, Interview Techniques, Inclusion, Interviewing Children, Interviewing Traumatized Persons	RMS in Kyiv City, Kyiv Region, Odesa, Kharkiv, Zakarpattya, Vinnitsa, Volyn, Donetsk, Rivne, Kirovograd, SCNR
Ukraine	65.	DRC with visits to all relevant Danish authorities in Danish asylum process	November 2007, 5 days	Danish asylum processes, including appeals	SCNR, RMS, NGOs
Ukraine	66.	DRC	2007-2008	RSD interview process	RMS
Ukraine	67.	DRC (with Danish Immigration Service)	February 2008, 2 days	COI research, interpretation, application to RSD	SCNR, RMS, NGOs
Ukraine	68.	DRC (with Danish Police and Danish Immigration Service)	September-October 2008, 2 days	Danish and Ukrainian experiences in inter-institution cooperation in asylum; whole of government approach; Police work in asylum; Strategies for referral mechanisms and organizational set-up for vulnerable persons	SCNR, RMS, MOI, Ukrainian Police, MoJ, MSL, NGOs
Ukraine	69.	DRC (with input from SCNR and UNHCR)	2009	Step-by-step guide to preparing for, conducting and completing RSD procedures.	SCNR, RMS, NGOs
Ukraine	70.	DRC (with SCNR and UNHCR)	2007-2009	All topical issues concerning refugee status at SCNR	SCNR, RMS, NGOs, Ombudsman, various relevant ministries
Ukraine	71.	DRC (with SCNR, CORI and ICMPD)	2009-ongoing	On-the-job training of COI research and application by COI Unit to RMS	SCNR, RMS
Ukraine	72.	DRC (with Polish Asylum Authorities and other relevant government and non-government bodies in Polish asylum process)	December 2009, 5 days	All aspects of Polish asylum process for unaccompanied minor asylum seekers	SCNR, RMS, TAC, MOI, MOJ, MOE, MFYS, SBGC, Red Cross, NGOs
Ukraine	73.	DRC (with NGO facilitators)	Five 2-day trainings in 2009-2010	UNCRC, child-specific COI and its application, specific forms of persecution of children; violence against children in Afghanistan and Somalia, Conducting RSD on children; Ukrainian refugee law for children, psychological approaches to RSD interviews with children	SCNR, RMS, MFYS, Children's Services, regional SBGS, Police, MFYS shelters, NGOs, Red Cross, MOI, regional MOI, TAC
Ukraine	74.	DRC	2010	Step-by-step guide to preparing for, conducting and completing RSD procedures.	SCNR, RMS, NGOs
Ukraine	75.	DRC (with NGO facilitators)	2010	Training materials from seminars	SCNR, RMS, MFYS, Children's Services, regional SBGS, Police, MFYS shelters, NGOs, Red Cross, MOI, regional MOI, TAC
Ukraine	76.	DRC	January, April 2010	"Legal and Social Protection of Asylum Seeking and Refugee Children in Ukraine" Project	SCNR, Ministry of Family Youth and Sport, Ministry of Interior, Ministry of Justice, Ministry

				Steering Committee Meetings	of Education, State Border Guard Service, UNHCR, UNICEF, NGOs
Ukraine	77.	DRC-funded, CORI facilitated	10-13 June 2010 2 day conference, 1 day training	Research and application of child-specific COI	COI Unit and one English-speaking asylum officer from the Kyiv Regional Migration Service
Ukraine	78.	HIAS/UNHCR	July 2005, 1 day	Current Ukrainian legislation on refugees and asylum seekers and problem of its implementation; Cooperation between MS, SCNM and VGIRFO.	Department for Immigration and Registration of Ukraine's Ministry of Internal Affairs, District Departments in Kyiv and the Kyiv region
Ukraine	79.	HIAS/UNHCR	Apr 2006, 1 day	Ukrainian legislation on refugees and asylum seekers, its connection with International law and problems of implementation; precedents in Ukrainian legislation.	Judges in Kyiv and the Kyiv region
Ukraine	80.	HIAS/UNHCR	November 2006, 1 day	Principle of prohibition of deportation refugees; normative securing subsidiary status; collaboration between government agencies and NGOs; legal assistance and translation; integration of refugees; control for residence of refugees; forming positive attitude to refugees in society	Department for Immigration and Registration of the Ukrainian Ministry of Internal Affairs, SCNM, State border guard service; Ministry of Justice; UNHCR; Amnesty International; HIAS
Ukraine	81.	HIAS/UNHCR	June 2007, 1 day	Ukraine's legislation on refugees and asylum seekers; Implementation of refugee legislation by Ukraine's government migration agencies; Registration of refugees and asylum seekers in Ukraine; Xenophobia and measures to combat it; Legal problems for refugees and asylum seekers	Law-enforcement agencies
Ukraine	82.	HIAS/Stefan Batory Foundation	October 2008, 1 day	Poland's migration system and cooperation between NGOs and government agencies working with asylum seekers and refugees; problems in Ukraine's migration policies and practices, recent developments and future prospects for cooperation between NGOs and state institutions in Ukraine	Ministry of Interior, Kyiv Migration Service, NGOs
Ukraine	83.	GDISC/ERIT	August 2008,	Inclusion (Screening)	State Border Guards
Ukraine	84.	GDISC/ERIT	September 2008, 2 days	Inclusion	Migrant Accommodation Centre staff
Ukraine	85.	GDISC/ERIT	October 2008, 3 days	Inclusion, COI, Decision Making, Evidence Assessment	Migration Service (SCNR)
Ukraine	86.	GDISC/ERIT	November 2008, 2 days	Inclusion: COI, standard of proof, evidence assessment	Administrative Court Judges
Ukraine	87.	GDISC/ERIT	March 2009, 3 days	COI (Training of Trainers)	SCNR, COI unit, Case workers of RMS, DRC, UNHCR, ERIT
Ukraine	88.	GDISC/ERIT	March 2009, 3 days	Detention centers (work with a foreigner, communication, social work)	Personnel of detention centers
Ukraine	89.	GDISC/ERIT	May, October 2009	Refugee law and interviewing techniques (especially for vulnerable cases)	Border Guards

Ukraine	90.	GDISC/ERIT	May 2009, 10 days	COI internship (Slovakia)	COI Unit of the SCNR
Ukraine	91.	GDISC/ERIT	October 2009, 3 days	COI	SCNR, COI unit, Case workers of RMS, UNHCR, ERIT
Ukraine	92.	GDISC/ERIT	February-March 2010, 5 days	Refugee law, interviewing techniques (Skype), asylum issues in EU	SCNR, COI Unit, Border Guards
Ukraine	93.	IOM Kyiv	2009	Trainings on social/humanitarian assistance including psychological and HIV sessions	Ministry of Interior, State Border Guard Services, NGOs
Ukraine	94.	IOM Kyiv	2009	Trainings on legal assistance	Ministry of Interior, State Border Guard Services, NGOs
Ukraine	95.	IOM Kyiv	May-December 2009	Counter-Trafficking Training	Judges, Practitioners from the MoI, GPO and other stakeholders, State social workers
Ukraine	96.	IOM Kyiv	April 2010	Training on identification and referral of victims of trafficking among refugees and asylum seekers	Staff of Temporary Accommodation Centres
Ukraine	97.	German Embassy in Kyiv	August/September 2009	Training on identifying of migrants	State Border Guard Service
Ukraine	98.	US Embassy in Kyiv	March-April 2009	10 Seminars on identification, rehabilitation and reintegration of trafficking victims (regions)	Deputies, state officials, IOM, social services, employment centres, law enforcement agencies, NGOs, local mass media
Ukraine	99.	NGO CHRC	April 2006, 3 days	Refugee protection	Sumy region Judges' assistants; MOI CIR Units staff; 17 border guards (SBS)
Ukraine	100.	NGO CHRC	May 2006, 3 days	Refugee protection	Zakarpatska region Judges; border guards, MOI CIR Units staff
Ukraine	101.	NGO CHRC	September 2006, 1 day	Refugee Protection and on the draft laws: On Refugees and Persons Eligible for Subsidiary and Temporary Protection; On Introduction of Amendments to the Law on Legal Status of Foreigners and Stateless Persons	Chernigiv region MOI CIR Units staff
Ukraine	102.	NGO CHRC	November 2006, 2 days	Refugee protection and on the draft laws: On Refugees and Persons Eligible for Subsidiary and Temporary Protection; On Introduction of Amendments to the Law of Ukraine on Legal Status of Foreigners and Stateless Persons	Chernigiv region judges and Border Guards (SBS)
Ukraine	103.	SCNM	May 2006, 1 day		SCNM-MS
Ukraine	104.	SCNM	September 2006, 2 days	Refugee Protection	Heads of Migration Services and SCNM staff
Ukraine	105.	SCNM/CoE	September 2006, 2 days	Challenges and priorities for policy makers in the field of migration in Eastern Europe	GVT. from ARM, AIZ, GEO, MOL, UKR

Ukraine	106.	Military Academy	November 2006, 1 day	Cooperation with HCR during Emergency situations	Peace keepers
Ukraine	107.	IIHL	May 2007, 2 days	Refugee Law Course (Inclusion, Exclusion, COI, International Refugee Law and Human Rights)	Judge from HAC
Ukraine	108.	IARLJ/TAIEX	June 2007, 2 days	Inclusion, Exclusion, COI (Budapest)	Judge from district court
Planned trainings for 2nd half 2010					
Republic of Belarus					
Belarus	1.	UNHCR	1st half of 2010	Follow-up training for eligibility officers of the Ministry of Internal Affairs and the State Border Committee (interviewing techniques)	State Border Committee, Ministry of Interior
Belarus	2.	UNHCR	2-3rd quarter of 2010	Study visit to EU member state: familiarization with the Good practices in operating of country of origin information system	State Border Committee, Ministry of Interior, NGOs
Belarus	3.	UNHCR	2-3rd quarter of 2010	Training of two local country of origin information trainers during the study visit to EU member state	Ministry of Interior, NGOs
Belarus	4.	UNHCR	2-3rd quarter of 2010	Two in-country seminars on country of origin information	State Border Committee, Ministry of Interior, Ministry of Justice, etc.
Belarus	5.	UNHCR	Throughout 2010	English language classes for country of origin information specialists	Ministry of Interior
Belarus	6.	UNHCR	June 2010	Annual International Contest "New Horizon" for students of police Universities	Students
Belarus	7.	UNHCR	To be confirmed	Seminar for Commission on Implementation of International Humanitarian Law (CIIHL) on definition of armed conflict	CIIHL, Ministry of Justice, Ministry of Foreign, etc.
Belarus	8.	UNHCR	November 2010	Annual seminar for Judges and Prosecutors	Judges and Prosecutors
Republic of Moldova					
Moldova	9.	UNHCR	Summer 2010	Asylum	Judges, Police
Moldova	10.	UNHCR	Autumn 2010	Border	Border Guard Service, Refugee Directorate (Ministry of Interior), NGOs
Moldova	11.	UNHCR	September 2010	Asylum legislation and referral mechanism	Border Guard Service
Moldova	12.	UNHCR	August, October 2010	RSD (refugee definition, interview technique, COI)	Refugee Directorate, BMA
Moldova	13.	UNHCR	Monthly	Case Conferences	Refugee Directorate (Ministry of Interior)
Ukraine					
Ukraine	14.	UNHCR	February- November 2010	Profiling at the border / Country of origin information	BG detachments in Kharkov, Sumy, Donetsk, Odessa oblasts

Ukraine	15.	IOM Kyiv	Second half 2010	Training on identification and referral of victims of trafficking among refugees and asylum seekers	Staff of Temporary Accommodation Centres
Ukraine	16.	DRC	September, November 2010	“Legal and Social Protection of Asylum Seeking and Refugee Children in Ukraine” Project Steering Committee Meetings	State Committee for Nationalities and Religions, Ministry of Family Youth and Sport, Ministry of Interior, Ministry of Justice, Ministry of Education, State Border Guard Service, UNHCR, UNICEF, NGOs

List and brief description of existing asylum and refugee law curricula in the Republic of Belarus and the Republic of Moldova

1. Existing asylum and refugee law courses in the Republic of Belarus:

1. Belarus State University, Refugee Law Curriculum for International Law students:
 - 34 hours, including 24 hours lectures, 10 hours seminars. Description:
 - Introduction to Refugee Law: 2 hours lectures
 - Refugee definition. Inclusion clause: 8 hours (4h – lectures, 4h –seminars)
 - Refugee definition. Exclusion clause. Cessation: 6 hours (4h – lectures, 2 h - seminars)
 - Principle of *non-refoulement*: 2 hours lectures
 - Refugee Protection in the Republic of Belarus. Refugee status determination: Procedural issues. 6 hours (4 h – lectures, 2h - seminars)
 - Durable solutions. Voluntary repatriation. Resettlement. Local integration. 4 hours (2h – lectures, 2h - seminars)
 - Activities of International Organizations. UNHCR. International co-operation. 4 hours – lectures
 - Extended Mandate. Other categories in need of protection: Stateless persons, Internally Displaced People. 2 hours lectures.

2. Re-training course for staff working at the Department of Citizenship and Migration (DCOM) “Migration Management: segregating migration flows, refugee protection” based on the International Training Center on migration and combating human trafficking of the Academy of the Ministry of Internal Affairs:
 - 5 full-days course
 - 3 groups per year
 - Total 36 hours
 - International Refugee Law and national refugee legislation – 12 hours, including: 6 hours – lectures, 2 hours – seminars, practical studies – 4 hours
 1. Migration – 2 h.
 2. Legal status of categories of foreigners in the Republic of Belarus – 2 h.
 3. Temporary and permanent residence in the Republic of Belarus – 4 (2/2)
 4. International refugee law and refugee protection – 8 (4-4)
 5. Asylum, refugee protection, temporary protection, complementary protection (2/2)
 6. Citizenship legislation. Citizenship procedures - 2
 7. Residence registration - 4
 8. Labour migration - 2
 9. Illegal migration, combating illegal migration - 4 (2/2)
 10. Deportation procedures of foreigners and stateless persons. Identification procedures for foreigners - 4

3. Asylum and refugee protection issues integrated into the Optional special course for cadets (covering 48 cadets): “Law-enforcement authorities in the implementation of the institutions of migration and asylum” at the Academy of the Ministry of Internal Affairs:
 - Total 36 hours, including 12 h self-study;

- Asylum and refugee protection issues - 12 hours, including: 4 h – lectures, 2 h– seminar, practical studies – 4 h, self-study – 2 h.
- Migration of population: general characteristics - 2 h.
- Legal regulation of migration processes – 4 h (2/2)
- The competence of the MOI in migration management – 6 h (2/2-2)
- Legislation on citizenship of the Republic of Belarus. The system of reception and documentation on acquiring and cessation of citizenship – 4 h. (2-2)
- The basis for citizenship registration at the residence place. The process of issuance and exchange of passport of a citizen – 4 h. (2-2)
- The asylum institute. The Mechanism of its provision by the MOI – 12 h. (4/2/4-2)
- The legal situation of the foreigners and stateless persons in the Republic of Belarus. The MOI control for stay of foreigners and stateless persons – 8 h. (2/2/2-2)
- Compulsion measures for violation of migration legislature of the Republic of Belarus – 8 h. (2/2/2-2)

Asylum and refugee protection issues are covered by the thematic unit “Institute of Asylum. The mechanisms of its implementation by law-enforcement authorities of the Republic of Belarus.” The following issues are covered: institution of asylum, refugee status, status of asylum seekers, refugee status in international law, procedures for granting asylum in the Republic of Belarus, role of law-enforcement authorities, social protection of refugees, and temporary accommodation of asylum seekers.

- Institute for National Security of the Republic of Belarus, Faculty for Border Guards Troops, special re-training course “Granting asylum, refugee status and migration management in the Republic of Belarus”.
 - Total: 16 hours, including 6 hours lectures, 2 hours seminars, 8 h practical studies
 - Refugees and Human Rights
 - Refugee protection and asylum system in the Republic of Belarus
 - Identification asylum seekers in the mixed migration flows, identification of illegal migrants
 - Procedures for granting refugee status and migration management in the Republic of Belarus
- Asylum and refugee protection issues are covered within the optional course “State Border Policy of the Republic of Belarus on Migration Management” at the Faculty for Border Guards troops of the Military Academy of the Republic of Belarus:
 - Refugee protection and asylum system in the Republic of Belarus: refugee status, asylum
 - Legal procedures for granting refugee status in the Republic of Belarus. Refugee status determination. Cessation.

2. Existing asylum and refugee law courses in the Republic of Moldova:

- Refugee Law Curriculum at the National Border Guards College in Ungheni:

- Total 45 hours¹⁵⁸, including 26 h lectures, 19 h seminars
- Description:

Nr.	Theme title	Total hours	Theoretical classes	Seminars
1.	History of the refugee definition	4	2	2
2.	Regional protection of refugees	6	4	2

¹⁵⁸ Border Guard colleagues consider increasing current number of hours from 45 hours to 90 hours. Additional financial resources need to be obtained for this.

3.	Competent authorities in dealing with refugee related cases	6	4	2
4.	Refugee law principles	4	2	2
5.	Access to territory and principle of non-return	6	4	2
6.	Criteria for determining the refugee status	6	4	2
7.	Refugee status determination procedure	4	2	2
8.	Procedure for ceasing and cancelling a form of protection	4	2	2
9.	Internal conflicts and displacement	3	2	1
	TOTAL	45	26	19

2. Refugee Law Curriculum at the Police Academy “Stefan cel Mare”:

- Total 30 hours, including 18 h Lectures, 12 h Seminars.
- Description:

Nr.	Theme title	Total	Lectures	Seminars
1.	Refugee Law general considerations 1. Introduction. 2. Brief history on the formation of the concept of refugee rights and fundamental rights and liberties. 3. History of development of the “Refugee” and “refugee rights” concept. 4. Philosophy and the concept of the “Refugee Law” course.	2	2	-
2.	The role of international organisations and national authorities in the protection of refugee rights 5. The importance of the UN. The role of the UN bodies and related structures. 6. The role of the United Nations High Commissioner for Refugees. 7. Council of Europe and European structures role 8. The role of the state and civil society.	4	2	2
3.	International, regional and national refugee protection documents 9. International human rights protection documents with universal character. 10. International and regional refugee protection documents. 11. National legal documents that stipulates and protects the rights of refugees.	4	2	2
4.	Refugee law principles 12. Access to territory. 13. Principle of non-discrimination. 14. Principle of non-refoulement. 15. Family unity principle. 16. Confidentiality principle.	2	1	1

	17. Durable solutions principle. 18. Principle of international cooperation.			
5.	Forms of protection granted on the territory of the Republic of Moldova 19. Refugee status. 20. Humanitarian protection. 21. Temporary protection. 22. Political asylum.	3	2	1
6.	Rights and duties of asylum-seekers, refugees and beneficiaries of humanitarian protection 23. Asylum-seekers rights and duties. 24. Rights and duties of refugees and humanitarian protection seekers. 25. Rights and duties of beneficiaries of humanitarian protection.	4	2	2
7.	Refugee status determination procedures 26. Asylum application. 27. Ordinary procedure. 28. Interviewing techniques. 1. Accelerated procedure. 2. The case of persons with special needs. 3. Family reunification procedure. 4. Procedure for examining the new asylum application claim.	4	2	2
8.	Procedure for ceasing and cancelling a form of protection 5. Procedure for ceasing and cancelling the refugee status. 6. Procedure for ceasing and cancelling the humanitarian protection status.	3	2	1
9.	Internal conflicts and protection of internally displaced persons. 7. Characteristics of internal conflicts. 8. Case studies on internal conflicts. 9. Protection of internally displaced persons rights	3	2	1
10.	Evolutionary trends of the Refugee Law and legal protection of human rights 10. Contemporary regulatory developments. Expanding the protected spheres. 11. Contemporary challenges and solutions for the protection of refugee rights	1	1	

3. Refugee Law Curriculum at Free Independent University of the Republic of Moldova (ULIM)

- Total 30 hours, 15 h lecture, 15 h Seminars

Nr.	Theme title
1.	Introduction to the course
2.	Refugee history and development of the refugee definition
3.	The role of the State and relevant authorities
4.	International refugee law principles

5.	Criteria for determining refugee status
6.	Refugee status determination procedure
7.	Regional protection of refugees
8.	National refugee legislation
9.	Internal conflicts and displacement

4. Translated list of thematic issues covered by the Refugee law course in State University of the Republic of Moldova is being expected.

Following issues are covered within the course: refugee definition, European Refugee Law, EU Asylum Directives and procedures.

EAC feasibility study 17 May – 7 June 2010
Final schedule of meetings and interviews
conducted by Ms. Alina Polikarpova, International Expert, and Ms. Viktoriya Shaban, Assistant

Date & Time	Activity	Agencies and participants involved
21 April	Interview with GDISC-ERIT Project (by telephone)	Mr. Zdenek Belonozhnik, Liaison Officer, GDISC ERIT Ukraine Project
21 April	Briefing by EAC Management Team (by telephone)	EAC Management Team
17 May 9:30-11:00	Briefing and initial interview with the Söderköping Process Secretariat	Mr. Gaspar Bergman, Head of Söderköping Process Secretariat
17 May 11:00-13:00	Interview with UNHCR	Mr. Furio de Angelis, Deputy Regional Representative, UNHCR Ms. Kate Pooler, Regional Protection Officer Mr. Dmitriy Pletchko, Assistant Legal Officer
17 May 14:00 – 15:30	Administrative issues	Ms. Ruth Krcmar, IOM Program Manager
17 May 16:00 – 17:30	Interview with DRC	Ms. Krista Zongolowicz, Head of DRC in Ukraine
18 May 9:00-11:00	Interviews with Kyiv National University of Internal Affairs	Ms. Lesia Feshchenko, Senior Lecturer, Department of Public Security, Kyiv National University of Internal Affairs
18 May 11:30-13:00	Interview with the State Committee for Nationalities and Religions	Mr. Oleksiy Skorbach, Deputy Director, Directorate for Refugees and Asylum Ms. Victoria Shmidt, Head of Sector for Migration Policy and European Integration of the Department for Migration Service and Prospective Planning Ms. Tamara Smiyuk, Specialist, Directorate for Refugees and Asylum
18 May 14:00 – 16:00	Interview with the State Border Guard Service Administration	Mr. Oleksandr Skigin, Head of Department for work with aliens, State Border Guard Service
18 May 16:00-18:00	Interviews with D-r Irina Pribytkova, Institute of Sociology of the National Academy of Sciences of Ukraine	Dr. Irina Pribytkova, Institute of Sociology of the National Academy of Sciences of Ukraine
19 May 14:00	Initial briefing with UNHCR Chisinau. Interview with UNHCR Chisinau	UNHCR Chisinau: Mr. Peter Wijninga, Representative Mr. Octavian Mohorea, Associate Legal Officer
19 May	Interviews with the Law Center of Advocates and Free International University of the Republic of Moldova (ULIM), State University of the Republic of Moldova (USM)	Dr. Alexei Barbaneagra, LCA President, Lawyer, Refugee law professor at ULIM Dr. Gamurari, Refugee law professor at USM

20 May, 10:00-12:30	Interview with Ministry of the Interior of the Republic of Moldova: Bureau for Migration and Asylum, RSD Unit of the Refugee Directorate	Mr. Liviu Prodan, Director, Bureau for Migration and Asylum, MoI Ms. Natalia Guma, Deputy Head of the Refugee Directorate / Head of RSD Unit Mr. Ion Budeanu, Eligibility counselor, RSD Unit, Refugee Directorate Ms. Ala Ganaciuc, Eligibility counselor, RSD Unit, Refugee Directorate
20 May, 14:00-16:00	Meeting with Border Guard Service of the Republic of Moldova	Mr. Igor Josan, Colonel, Head of Training Department, Border Guard Service HQ Mr. Sergiu Catrinac, Lieutenant- Colonel, Head of Department, National Border Guard College, Ungheni, the Republic of Moldova Mr. Sergiu Micu, teacher of history, National Border Guard College, Ungheni, the Republic of Moldova
20 May, 16:30	Interview with IOM	Mr. Simion Terzioglo, National Programme Coordinator, IOM Chisinau Mr. Mihai Maciuca, Migration Management Project Assistant, IOM Chisinau
21 May	Interviews with the Police Academy Stefan cel Mare (MoI)	Dr. Starasciuc, Refugee law professor at the Stefan cel Mare Police Academy
24 May 10:00-13:00	Briefing and interview with UNHCR Minsk.	UNHCR Minsk: Ms. Sholeh Safavi, Representative, Mr. Ivan Saleyeu, Associate Legal Officer
24 May 14:00-	Interviews with the educational entities and governmental agencies of the Republic of Belarus : Belarus State University, Institute of National Security of the Republic of Belarus	Dr. Victor Shadurski, Professor, Dean of the Faculty of International Relations of the Belarus State University Mr. Andrey Selivanov, Executive Director, INA "Evolutio" Ms. Liudmila Pavlova, Lecturer of Refugee Law course, Belarus State University
24 May 16:30 – 18:00	Interview with IOM Minsk	Ms. Tanya Orange, IOM Minsk Mr. Andrei Zaitsev, Anti-trafficking unit
25 May 10:00-13:00	Interviews with the Department on Citizenship and Migration, Ministry of Internal Affairs of the Republic of Belarus, Academy of the Ministry of Internal Affairs of the Republic of Belarus	Ministry of Internal Affairs of the Republic of Belarus: Ms. Tatyana Mayorova, Chief Specialist of Refugee Department Ms. Tamara Nesterenko, Chief Specialist of the Department for International Relations Academy of the Ministry of Internal Affairs of the Republic of Belarus: Mr. Anatoliy Savenok, MOI Academy Officer in Charge Mr. Alexander Kravchenko, Head of Department for International Relations Mr. Alexander Fedorako, Head of International Training Center Mr. Sushkov, Head of IT Department
25 Ma 14:00 – 15:30	Interview with the State Border Committee of the Republic of Belarus, Institute of National Security of the Republic of Belarus	Mr. Sergei Ignatovich, Deputy Head of Department for International Relations, State Border Committee of the Republic of Belarus Mr. Yuri Panov, senior officer, State Border Committee of the Republic of Belarus Mr. Andrei Ledyayev, professor, Institute of National Security of the Republic of Belarus, Border Faculty
25 May	De-briefing by EAC feasibility	Ms. Sholeh Safavi, Representative,

	study team on the information and inputs obtained from the authorities, discussion on findings, preliminary conclusions	Mr. Ivan Saleyeu, Assistant Legal Officer, Ms. Inna Borisevich, Senior Protection Clerk
26 May 14:00-15:30	National Academy of Prosecution of Ukraine	Dr. Valeriy Diachenko, Associate professor, Human rights department, Institute of personnel development, National Academy of Prosecution of Ukraine
26 May 15:30 – 17:00	Interview with HIAS	Ms. Daryna Tolkach, HIAS Program Manager
27 May 9:30-11:00	Interview with the MOI Management Academy	Dr. Sergiy Blagovisnyi, Head of department for state legal disciplines and human rights, MOI Management Academy
27 May 11:00-13:00	Interview with UNHCR Kyiv	Ms. Kate Pooler, Regional Protection Officer, UNHCR RR Kyiv
27 May 15:00-16:30	Interview with IOM	Mr. Stephen Rogers, Program Coordinator, Capacity Building in Migration Management Mr. Yuri Bystro, Project Specialist
28 May 11:00–11:30	Teleconference with Mr. Motto, State Border Guard Service Academy of Ukraine	Mr. Motto, Department of Constitutional, Administrative and International law
28 May 15:00-17:00	De-briefing with UNHCR and Söderköping Process Secreatriat	Ms. Simone Wolken, UNHCR Regional Representative for the Republic of Belarus , the Republic of Moldova and Ukraine, Mr. Furio De Angelis, Deputy Regional Representative, Ms. Kate Pooler, Regional Protection Officer, Mr. Gaspar Bergman, Head of Söderköping Process Secreatriat (over the phone)
4 June 10:00-10:50	Telephone interview with ICMPD	Mr. Martin Wagner, ICMPD

TERMS OF REFERENCE

Study to assess the feasibility of transposing the European Asylum Curriculum in countries involved in the Söderköping Process* - the Republic of Belarus , the Republic of Moldova and Ukraine

*The Söderköping Process is a project funded by the Swedish International Development Cooperation Agency

BACKGROUND INFORMATION

1.1 Countries

Republic of Belarus, Republic of Moldova and Ukraine.

1.2 Contracting Authority

The study will be carried out within the framework of the Söderköping Process, and IOM Kyiv will be the contracting authority for the Experts.

1.3. Relevant background

The enlargement of the European Union (EU) in 2004 and 2007 had a significant impact on the migration and refugee protection realities in Eastern Europe. While the Republic of Belarus, Republic of Moldova and Ukraine have acceded to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, and have established comprehensive migration management systems, there is no standard or mandatory educational program or curricula for governmental officials involved in refugee protection/asylum management in place in any of those countries. The Republic of Belarus , the Republic of Moldova and Ukraine have focused on establishing access to qualitative, fair and effective Refugee Status Determination (RSD) procedures, reception facilities for asylum seekers, detention facilities for irregular migrants meeting the standards set by the European Convention on Human Rights, as well as durable solutions for recognized refugees.

In the past 10 years, UNHCR and IOM have provided training on refugee protection/asylum and migration issues and have been involved, in the spirit of partnership, in assisting the governments of the Republic of Belarus, the Republic of Moldova and Ukraine to transform their migration and asylum systems in conformity with international standards. The trainings provided by UNHCR, IOM and other agencies (ECRE, GDISC, Danish Refugee Council), while systematised and integrated into the curricula of universities and training academies in the Republic of Belarus, the Republic of Moldova and Ukraine, has not amounted to a core curricula or series of training modules on asylum (with the exception of a few examples such as a handbook developed by the Danish Refugee Council in Ukraine and by the Ludwig Boltzmann Institute).

The high turnover rate of governmental officials responsible for refugee protection, the rather limited ability of governmental officials to comprehend and use training curricula developed in English and French (in other countries) as well as the lack of a comprehensive ‘in-house’ training curricula used by various ministries are all factors which have, in the past, encouraged governmental officials to use the training modules on asylum developed by UNHCR and other agencies in lieu of their own.

Within the framework of the Söderköping Process, the Ministries of Interior, Asylum Authorities and Border Guard Services of the Republic of Belarus, the Republic of Moldova and Ukraine were regularly informed of the latest developments of the European Asylum Curriculum initiative. In the course of several bilateral and multilateral meetings organised by the Secretariat of the Söderköping Process in 2006-2009 between the Swedish Migration Board and the Ministries of Interior of the Republic of Belarus, the Republic of Moldova and Ukraine, the possible transposition or assessing the possibility of “transposing” certain modules of the European Asylum Curriculum in Belarus, the Republic of Moldova and Ukraine was regarded as an important priority.

2. CONTRACT OBJECTIVES & EXPECTED RESULTS

2.1 Overall objectives

The Study aims:

- To assess the system of how training curricula are formally integrated in the educational systems of the Republic of Belarus , the Republic of Moldova and Ukraine and the legal procedure that is followed in each country;
- To assess the feasibility of transposing one or several of the thirteen modules of the EAC in the Republic of Belarus, the Republic of Moldova and Ukraine.

2.2 Specific objectives

The specific objectives of the Study are:

- To compile and analyse (existing) institutionalized asylum curricula and training programs in the academies of the Ministries of Interior, Asylum Authorities and Border Guard Services of the Republic of Belarus, the Republic of Moldova and Ukraine as well as universities;
- To compile and analyse all training modules on asylum carried out by UNHCR and other agencies in the Republic of Belarus, the Republic of Moldova and Ukraine;
- To assess the legal and administrative procedures that need to be followed in order to integrate training curricula in the Republic of Belarus, the Republic of Moldova and Ukraine;
- To assess the financial and infrastructural requirements and resources needed to integrate the EAC;
- To assess which out of the 13 modules can be easily integrated and/or are of more immediate interest/relevance in the Republic of Belarus, the Republic of Moldova and Ukraine.

2.3 Results to be achieved by the Consultants

Through direct interviews/meetings with the Ministries of Interior, Asylum Authorities, Ministries of Education and Border Guard Services, IOM, UNHCR, the Swedish Migration Board, the Secretariat of the Söderköping Process, ECRE, non-governmental organizations in the Republic of Belarus, the Republic of Moldova and Ukraine and based on the information provided by the training academies and universities which have training modules on asylum, the experts will complete a report based on the objectives 2.1 and 2.2. The study is expected to provide the following results and outputs:

- List and description of asylum curricula and training programs in the academies of the Ministries of Interior and Border Guard Services of the Republic of Belarus, the Republic of Moldova and Ukraine as well as universities;
- List and description of training modules on asylum carried out by UNHCR, IOM, ECRE, GDISC, DRC and other agencies in the Republic of Belarus, the Republic of Moldova and Ukraine in 2006-2009 and planned for 2010-2011;
- An analysis of the extent to which the institutionalised asylum curricula as well as the training modules carried out by UNHCR, IOM, ECRE, GDISC, DRC and other agencies are similar to the themes and content of the EAC – a juxtaposition of the thematic areas and methodology used in the EAC and in already existing modules in the Republic of Belarus, the Republic of Moldova and Ukraine;
- A description of the legal and administrative procedures that need to be followed in order to integrate training curricula in the Republic of Belarus, the Republic of Moldova and Ukraine and a list of examples/practices/strategies used thus far by various ministries, agencies, universities to integrate curricula;
- A description of the financial and infrastructural requirements and resources needed to integrate the EAC;
- An analysis and recommendation regarding which of the thirteen modules of EAC can be potentially integrated or are of more immediate interest/relevance in the Republic of Belarus, the Republic of Moldova and Ukraine.
- Overall assessment and recommendations regarding the feasibility of transposing the European Asylum Curriculum in the Republic of Belarus, the Republic of Moldova and Ukraine.

3. ASSUMPTIONS & RISKS

3.1 Assumptions underlying the project intervention

- The Experts have full access to all relevant interlocutors and information required.
- The Secretariat of the Söderköping Process together with UNHCR and IOM offices in Minsk, Chisinau and Kyiv assist and facilitate the establishing of contact and scheduling of meetings between the Experts and educational institutions, governmental authorities, NGOs.
- The Experts possess strong analytical and language skills to be able to undertake the assessment in line with the terms of reference herein.

3.2 Risks

- If access to interlocutors or information is not ensured to the extent required, the resulting report will lack depth or have gaps with regard to the desired topical coverage.
- The Experts do not, within the given timeframe, manage to formulate a feasibility assessment in line with the terms of reference;

- The ministries and agencies responsible for asylum management are restructured or do not continue to retain the roles and responsibilities currently assigned to them (at the start of the feasibility study);

4. SCOPE OF THE WORK

4.1 General

The Experts will hold a number of meetings with representatives of the Swedish Migration Board, UNHCR, IOM, NGOs and governmental and educational institutions in the Republic of Belarus, the Republic of Moldova and Ukraine. The Experts will assess the feasibility of transposing the EAC modules in the Republic of Belarus, the Republic of Moldova and Ukraine and will prepare a feasibility assessment/report.

4.2 Specific Activities

The following activities will be carried out to attain the above-described results:

- To consult with the EAC Management Team on the manner in which the EAC is being implemented in EU Member States;
- To carry out a review of all documents provided by UNHCR, ECRE, IOM, SMB, DRC, GDISC and the Secretariat of the Söderköping Process;
- To discuss the institutionalized asylum curricula with various interlocutors in the Republic of Belarus, the Republic of Moldova and Ukraine;
- Facilitate meetings with UNHCR and training academies/ministries to assess the financial and administrative requirements and resources for transposing EAC in the Republic of Belarus, the Republic of Moldova and Ukraine;
- To discuss training modules carried out by UNHCR and other agencies in the Republic of Belarus, the Republic of Moldova and Ukraine;
- To meet NGO representatives which provide or contribute to training and educational programs on asylum;
- To arrange a final meeting with EAC Management Team to discuss the preliminary findings, as well as with UNHCR and IOM;

5. LOGISTICS AND TIMING

5.1 Location

The Experts will have an introductory meeting in Stockholm, Sweden with the Swedish Migration Board and the EAC Management Team. They will have a series of consultations in Chisinau, the Republic of Moldova, followed by Kyiv, Ukraine and Minsk, the Republic of Belarus. The final meeting will be held in Stockholm, Sweden.

5.2 Commencement date & Period of execution

The study will commence in March 2010. The final date is subject to discussion and approval, and the scope and content of the terms of reference will be further elaborated during the Thematic Workshop on the European Asylum Curriculum scheduled to take place in Kyiv, Ukraine on 19-20 October 2009.

The Experts will have 3 weeks to carry out the feasibility assessment and finalize the report.

6. REQUIREMENTS

6.1 Personnel

The Experts should meet the following criteria:

- Have at least 5 years of experience in refugee protection/asylum management;
- Experience in liaising with governmental authorities and NGOs;
- Good understanding of the European Asylum Curriculum;
- Proven ability to draft an analytical report in English;
- Proficient knowledge of written and spoken English;
- Working knowledge of Russian is an asset.

6.2 Facilities to be provided to the Experts

The logistical support to the Experts, including arrangement of meetings with governmental authorities, planning and organization of field trips and missions (flights, visa, etc.), interpretation, and translation will be facilitated by the Söderköping Process Secretariat and UNHCR and IOM Offices in the Republic of Belarus, the Republic of Moldova and Ukraine.

The Experts will be provided office space in UNHCR offices in the Republic of Belarus, the Republic of Moldova and Ukraine if and when necessary.

7. REPORTS

7.1 Reporting requirements

The final report should be split into distinct sections, with headings specifying content, composed of complimentary and inter-linking chapters, sources used, reflecting an organizational framework that is coherent and easily readable.

The structure of the final report should follow the format given below:

- an executive summary;
- introduction;
- List of institutionalized asylum curricula and training programs in the academies of the Ministries of Interior and Border Guard Services of the Republic of Belarus, the Republic of Moldova and Ukraine as well as universities;
- List of training modules on asylum carried out by UNHCR and its implementing and operational partners in the Republic of Belarus, the Republic of Moldova and Ukraine in 2006-2009 and planned for 2010-2011;
- An analysis of the extent to which the institutionalised asylum curricula as well as the training modules carried out by UNHCR are similar to the themes and content of the EAC – a juxtaposition of the thematic areas and methodology used in the EAC and in already existing modules in the Republic of Belarus, the Republic of Moldova and Ukraine;
- A description of the legal and administrative procedures that need to be followed in order to integrate training curricula in the Republic of Belarus, the Republic of Moldova and Ukraine and a list of examples/practices/strategies used thus far by various ministries, agencies, universities to integrate curricula;
- A description of the financial and infrastructural requirements and resources needed to integrate the EAC;
- An analysis and recommendation regarding which of the 13 modules of EAC can be potentially integrated or are of more immediate interest/relevance in the Republic of Belarus, the Republic of Moldova and Ukraine.
- Overall assessment and recommendations regarding the feasibility of transposing the European Asylum Curriculum in the Republic of Belarus, the Republic of Moldova and Ukraine;
- If the recommendations suggest that it is not feasible to transpose the EAC in the Republic of Belarus, the Republic of Moldova and Ukraine, an alternative curricula or arrangement should be recommended by the Experts along with a reasoning/rationale or explanation.

7.2 Submission and approval of progress reports

The report is to be submitted two weeks after the completion of interviews/meetings. One week is scheduled for revision. The final version shall be approved by the Steering Committee of the Söderköping Process.

8. MONITORING AND EVALUATION

Appropriate monitoring and supervision will be done by UNHCR and IOM offices in the Republic of Belarus, the Republic of Moldova and Ukraine together SMB and the Söderköping Process Secretariat. The Experts will be supervised by the UNHCR Senior Regional Protection Officer for the Republic of Belarus, the Republic of Moldova and Ukraine.

Additional questionnaire tool - to the list of questions to be discussed during interviews

Sample

Country: _____ Agency: _____ Respondent No: _____

1. Assessment of educational and training needs in the area of refugee law and asylum issues.

- a. Please give your opinion on the existing level of expertise (knowledge and skills) in the area of asylum, refugee law and refugee protection observed by Your organization at various government institutions involved in asylum issues, using the scale:

0 – No knowledge or skills at all

1 – Beginner level = Very basic knowledge and skills

2 – Lower intermediate level = Rather insufficient knowledge and skills

3 – Intermediate level = Adequate, but requires improvement

4 – Upper intermediate level = Sufficient, higher than average

5 - Expert = Advanced level

Thematic areas of knowledge are given in accordance with the themes covered by EAC Modules.

Example: if you consider that Border Guards staff is experts in the area “Interviewing techniques” please circle 5 in the relevant box in the table.

EAC Modules\ Agency	Government RSD decision makers	Border Guards staff	Police staff	(Agency 1, Name)	(Agency 2, Name)
	(Name of Agency)				
1. International Refugee Law and Human Rights	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5
2. Introduction to EU Asylum Law and Policy	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5
3. Inclusion (Refugee definition, Inclusion clause, Non-refoulement, Exclusion clauses, Cessation)	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5
4. Asylum Procedure Directive	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5
5. Country of Origin-Information (COI)	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5
6. Interview Techniques	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5
7. Evidence Assessment (Credibility , burden of proof, objective and subjective factors etc.)	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5
8. Drafting and Decision Making	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5
9. Dublin Regulation	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5
10. Exclusion	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5
11. End of Protection	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5

12. Interviewing Children	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5
13. Interviewing Traumatized Persons	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5	0 1 2 3 4 5

b. Please identify thematic areas of knowledge and skills covered by respective EAC Modules, where the need for improvement is mostly observed by Your organization at particular government institutions/agencies involved in asylum issues, according to the scale:

- 1 – Immediate improvement required**
- 2 – Improvement required as one of the priorities**
- 3 – Improvement required at later stages**
- 4 – No need for developing or improving knowledge/skills**

EAC Modules\ Agency	Government RSD decision makers	Border Guards service staff	Police staff	(Agency 1, Name)	
	(Agency)				(Agency 2, Name)
1. International Refugee Law and Human Rights	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
2. Introduction to EU Asylum Law and Policy	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
3. Inclusion (Refugee definition, Inclusion clause, Non-refoulement, Exclusion clauses, Cessation)	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
4. Asylum Procedure Directive	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
5. Country of Origin-Information (COI)	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
6. Interview Techniques	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
7. Evidence Assessment (Credibility , burden of proof, objective and subjective factors etc.)	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
8. Drafting and Decision Making	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
9. Dublin Regulation	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
10. Exclusion	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
11. End of Protection	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
12. Interviewing Children	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
13. Interviewing Traumatized Persons	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4

2. Assessment how the educational and training needs were covered so far by locally institutionalized training/curricula: Please give your opinion how sufficiently the existing training and educational needs in the area of asylum, refugee law and refugee protection were covered so far by **the existing asylum and refugee law curricula:**

EAC Module \ Coverage	Not covered	Partially covered	Adequately covered	Fully covered	No information
1. International Refugee Law and Human Rights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Introduction to EU Asylum Law and Policy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Inclusion (Refugee definition, Inclusion clause, Non-refoulement, Exclusion clauses, Cessation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Asylum Procedure Directive	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Country of Origin-Information (COI)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Interview Techniques	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Evidence Assessment (Credibility , burden of proof, objective and subjective factors etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Drafting and Decision Making	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Dublin Regulation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. End of Protection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Interviewing Children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Interviewing Traumatized Persons	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Training on asylum, refugee law issues that were provided by Your organization since 2005.
Please complete the table on the trainings on asylum that Your organization had since 2005:

Agency delivering training (e.g. UNHCR, DRC etc.)	Dates, duration in days	Subject of training and its form (e.g. presentations, workshop, self-study)	Issues covered	Agency/ Agencies trained	Training materials distributed for further use (e.g. self-study modules and on which subject, presentations etc.)
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a. Training methodology used in the past:

<input type="checkbox"/> Lectures during seminars	<input type="checkbox"/> Study visits to European countries
<input type="checkbox"/> Practical case studies during seminars	<input type="checkbox"/> Sharing experience during in-country or regional workshops and seminars
<input type="checkbox"/> Role games at seminars	<input type="checkbox"/> Preparing and distributing materials for self-study (please mark: presentations, guidelines, COI materials)
<input type="checkbox"/> Lectures and presentations at field sites (outside seminars)	<input type="checkbox"/> Coaching (e.g. practical advice, answering working questions during working meetings, by telephone etc.)
<input type="checkbox"/> Joint Work on real cases	<input type="checkbox"/> Attending international workshops/seminar/courses

Other (Please specify): _____

b. In your opinion, which of the above methodologies were most effective and/or most appreciated and preferred by trainees (you can choose either one of them or both “Effective” and “Appreciated by trainees” from your point of view)?

<u>Lectures during seminars:</u> <input type="checkbox"/> Effective <input type="checkbox"/> Appreciated <input type="checkbox"/> Not used	<u>Study visits to European countries</u> <input type="checkbox"/> Effective <input type="checkbox"/> Appreciated <input type="checkbox"/> Not used
<u>Practical case studies at seminars</u> <input type="checkbox"/> Effective <input type="checkbox"/> Appreciated <input type="checkbox"/> Not used	<u>Sharing experience during in-country or regional workshops and seminars</u> <input type="checkbox"/> Effective <input type="checkbox"/> Appreciated <input type="checkbox"/> Not used
<u>Role games at seminars</u> <input type="checkbox"/> Effective <input type="checkbox"/> Appreciated <input type="checkbox"/> Not used	<u>Preparing and distributing materials for self-study</u> (please mark: presentations, guidelines, COI materials) <input type="checkbox"/> Effective <input type="checkbox"/> Appreciated <input type="checkbox"/> Not used
<u>Lectures and presentations at field sites</u> (outside seminars) <input type="checkbox"/> Effective <input type="checkbox"/> Appreciated <input type="checkbox"/> Not used	<u>Coaching</u> (e.g. practical advise, answering working questions during working meetings, by telephone etc.) <input type="checkbox"/> Effective <input type="checkbox"/> Appreciated <input type="checkbox"/> Not used
<u>Joint Work on real cases</u> <input type="checkbox"/> Effective <input type="checkbox"/> Appreciated <input type="checkbox"/> Not used	<u>Attending international workshops/seminar/courses</u> <input type="checkbox"/> Effective <input type="checkbox"/> Appreciated <input type="checkbox"/> Not used
Other (Please specify): _____ <input type="checkbox"/> Effective <input type="checkbox"/> Appreciated <input type="checkbox"/> Not used	

- c. Were these trainings:
- | | | |
|-------------------------------|------------------------------|-----------------------------|
| 1. Regular: | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Long-term: | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Systematic: | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4. Locally institutionalized: | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 5. Paid by local government: | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

If the answer to “Locally institutionalized” is “Yes” – please specify in which form:

- d. Functional roles and level of employees who benefited from trainings organized by your organization:
- High ranking officials (Ministers, vice-ministers level)
 - Managers (Heads of Directorates, Heads of Departments)
 - RSD Decision-makers
 - Specialists (including RSD specialists preparing cases)
 - Border Guards and Police Field staff.

e. Were the distributed training materials used after the trainings for professional activity?
 Yes No No Information

f. Do government agencies continue to request trainings on asylum issues?
 Yes No No Information

g. If answer to 3-F is “Yes” in which particular thematic areas, which knowledge area / professional skills?

h. Are governmental authorities ready to finance such trainings?

Yes - fully Yes - partially No No Information

4. Please give your opinion how sufficiently the existing training and educational needs in the area of asylum, refugee law and refugee protection were covered so far by **trainings** provided by **various international and non-governmental organizations**:

EAC Module \ Coverage	Not covered	Partially covered	Adequately covered	Fully covered	No information
1. International Refugee Law and Human Rights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Introduction to EU Asylum Law and Policy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Inclusion (Refugee definition, Inclusion clause, Non-refoulement, Exclusion clauses, Cessation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Asylum Procedure Directive	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Country of Origin-Information (COI)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Interview Techniques	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Evidence Assessment (Credibility , burden of proof, objective and subjective factors etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Drafting and Decision Making	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Dublin Regulation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. End of Protection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Interviewing Children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Interviewing Traumatized Persons	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. In your opinion, which of the EAC modules may be of immediate and/or potential interest?

EAC Module \ Level of Priority	Required as Top Priority (Max 1-2)	Required as a priority	Required for introducing at later stages	Not applicable/ Not required	No information
1. International Refugee Law and Human Rights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Introduction to EU Asylum Law and Policy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Inclusion (Refugee definition, Inclusion clause, Non-refoulement, Exclusion clauses, Cessation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Asylum Procedure Directive	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Country of Origin-Information (COI)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Interview Techniques	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Evidence Assessment (Credibility , burden of proof, objective and subjective factors etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Drafting and Decision Making	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Dublin Regulation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. End of Protection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Interviewing Children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Interviewing Traumatized Persons	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. Discussion on potential introduction of the EAC:

- a. Your opinion based on your experience: which of the EAC modules may be of immediate interest for authorities?
- b. Which of the EAC modules may be of potential interest? (table below refers).
- c. Advantages of the EAC introduction?
- d. Disadvantages of the EAC introduction?
- e. In your opinion, what could be an alternative to the EAC introduction (e.g continue current training practice, modifying content of existing curricula etc.)?
- f. Based on you experience, what can be potential obstacles for the EAC introduction?

7. Existing efforts and practices on integrating new asylum/migration curricula in the sub-region, strategies and methodologies, which were used:

- a. Examples and practices of integrating new asylum/migration or other curricula in the sub-region, facilitated by your organization.
- b. Strategies and methodology used by your organization to integrate new curricula.
- c. Any particular problems/issues that have been already experienced while integrating new curricula? Nature of these issues/problems, how they were addressed?

8. In case the Study, based on its findings, recommends the EAC introduction in the sub-region: how international community (GDISC/ICMPD, IOM, Soderkoping, UNHCR) could facilitate the process of introduction?

- a. Which actions, necessary to lunch/facilitate/implement EAC introduction, may be supported/ coordinated by the international community? (with government authorities, with other external actors, e.g. EC, SMB etc.)
- b. Types of assistance which can be provided by the international organizations? (e.g. expertise, translation of selected EAC modules, assistance in writing project proposal and getting funds etc.)

9. Do you have additional issues to be raised in relation to introduction of the EAC?

Priority of EAC Modules introduction in view of asylum authorities and UNHCR

List of EAC Modules	Republic of BELARUS		Republic of MOLDOVA		UKRAINE	
	Asylum Authorities	UNHCR	Asylum Authorities	UNHCR	Asylum Authorities	UNHCR
1. International Refugee Law and Human Rights	One of the priorities		One of the priorities		Top priority	One of the priorities
2. Introduction to EU Asylum Law and Policy	At later stages		At later stages		At later stages	Not applicable
2:1. Dublin Regulation	At later stages		At later stages		At later stages	Not applicable
3. Inclusion	One of the priorities		Top priority			
3:1. Exclusion	At later stages	One of the priorities	One of the priorities		At later stages	One of the priorities
3:2. End of Protection	At later stages	Mixed view (Yes-Later)	One of the priorities	One of the priorities	At later stages	At later stages
4. Asylum Procedure Directive	At later stages		At later stages		At later stages	Not applicable
5. Country of Origin-Information (COI)	Top priority	One of the priorities	One of the priorities			
6. Interview Techniques	Top priority		One of the priorities		Top priority	One of the priorities
6:1. Interviewing Children	One of the priorities		One of the priorities	At later stages	One of the priorities	At later stages
6:2. Interviewing Traumatized Persons	One of the priorities		One of the priorities	At later stages	One of the priorities	At later stages
7. Evidence Assessment	Top priority		One of the priorities	Top priority	One of the priorities	Top priority
8. Drafting and Decision Making	Top priority	One of the priorities	One of the priorities	Top priority	One of the priorities	One of the priorities